MONTANA

CODE

ANNOTATED

1993

STATE LAW LIBRARY
DEC 10 1993
OF MONTANA

E

EARTHQUAKES
Banks and trust companies, emergency closure, 32-1-561
Cities and towns
  emergency expenditures and liabilities, 7-6-4251
  purchases, exemption from bid requirements, 7-5-4303
Counties
  emergency expenditures and liabilities, 7-6-2341, 7-6-2344
  purchases, exemption from bid requirements, 7-5-2304
"Disaster" defined, 10-3-103, See **EMERGENCIES AND EMERGENCY POWERS**, generally
Insurers
  farm mutual, limit of risk, 33-4-502
  reinsurance, limit of risk, 33-2-1201
Nuclear facility siting, requirements for issuance of certificate, 75-20-1203
Property tax reduction for property destroyed by, 15-16-611
School districts, emergency plans and procedures, 20-7-1101
Schools, emergency closure, 20-9-802

EASEMENTS
  See **LAND USE PLANNING; PROPERTY, REAL**

EASTERN MONTANA COLLEGE
  See also **UNIVERSITY SYSTEM**, generally
Appropriations, unexpended — reversion, 17-7-304
Budget provisions, 17-7-102, See **BUDGET AND BUDGETING**
Construction program
  authorization and consent, 20-25-431
  bid letting requirements, 20-25-434
  bonds, 20-25-432 — 20-25-434
Designation, 20-25-201
Donations or gifts to, 20-25-252
Legislative intern program, Title 5, chapter 6
Public lands, acceptance of benefits from, 20-25-255
Purpose, 20-25-251

EASTERN MONTANA VETERANS' HOME
  See **VETERANS, Montana Veterans' Homes**

EASTMONT HUMAN SERVICES CENTER, Title 53, chapter 20, part 5
  See **DEVELOPMENTALLY DISABLED PERSONS, Residential facilities**

ECONOMIC DEVELOPMENT
  See also **LAND USE PLANNING**
Aeronautics, purpose of laws, 67-1-102
Agricultural Loan Authority Act, Title 80, chapter 12
Agriculture, Title 90, chapter 9
Bonds, Title 17, chapter 5, parts 15 and 16
Boundary Advisory Committee, Montana-Western Canadian Provinces — representation on, 1-13-103
Business
  development generally, 90-1-105
  incubators, 15-24-1801, 15-24-1802, 90-9-202
Capital companies, Title 90, chapter 8
Census and Economic Information Center, 90-1-109

ECONOMIC DEVELOPMENT (Continued)

Certified communities program, 90-1-116
Coal severance tax funds, investment, Title 17, chapter 6, part 3
Commerce, Department of — functions, Title 90, chapter 1, part 1
Community development generally, 90-1-103, 90-8-201, See also **INDUSTRIES AND INDUSTRIAL DEVELOPMENT, Development projects; LAND USE PLANNING**
Cooperation of governmental agencies, 90-1-107
Coordination, Title 90, chapter 1, part 1
Development corporations, purpose, 32-4-102
Economic Development Bond Act of 1983, Title 17, chapter 5, part 15
Employee-owned enterprises, 90-5-305
Environmental Policy Act, Title 75, chapter 1, parts 1 — 3
Environmental rules, applicability, 90-1-101
Facility Siting Act, Title 75, chapter 20
Federal community development block grant program, administration and implementation, 90-1-103
Flathead Basin, See **LAKES, Flathead Basin Commission**
Funding, 90-1-102, 90-1-116
Hearings on, 90-1-107
Housing development generally, 90-1-106
Indian tribal governments, cooperation for promotion, 90-1-105
Industrial development, See **INDUSTRIES AND INDUSTRIAL DEVELOPMENT**
Industrial parks, taxation, 15-24-1901, 15-24-1902, 90-5-112
Infrastructure development projects
  local government, Title 90, chapter 6, part 7
  secondary, value-adding industries, See **URBAN RENEWAL, Industrial districts**
Job training and employment needs, 53-2-1109
Local development projects, See **INDUSTRIES AND INDUSTRIAL DEVELOPMENT, Development projects**
Local economic development organization, building and land tax exemption, 15-24-2001, 15-24-2002
Microbusinesses, Title 17, chapter 6, part 4
Pacific Northwest economic region, Title 5, chapter 11, part 7
Planning boards, Title 76, chapter 1
Planning generally, 90-1-102
Policy of state, 90-1-101
Port authorities, purpose and activities, 7-14-1104, 7-14-1111, 7-14-1133, 7-14-1137
Purpose, 90-1-101
Reclamation and development grant projects, 90-2-1112
Recreational development generally, 90-1-103 — 90-1-105
Scientific and technological development, Title 90, chapter 3
Subdivisions, Title 76, chapter 4
Tax increment financing industrial development, 7-15-4297 — 7-15-4299
Tourism, 90-1-104, 90-1-105, See **TOURISM**
Transportation facilities and services, policy of state, 2-15-2505
Unemployment insurance, 39-51-102
Venture capital, Title 32, chapter 4; Title 90, chapter 8
Water conservancy districts to promote, 85-9-101
Water projects, See **WATER, Development of resources**
Zoning districts created for, Title 76, chapter 2

EDUCATION
Adult, Title 20, chapter 7, part 7
Aging and aged persons, funds for activities, 7-16-101, 52-3-504
Agricultural chemical ground water protection, for, 80-15-103, 80-15-104, 80-15-106, 80-15-214

EDUCATION (Continued)

Agricultural research centers, 20-25-224
Agriculture in Montana schools program, 15-30-151, 15-30-152
Agriculture research and education, sustainable, 20-25-233 — 20-25-236
AIDS Prevention Act, Title 50, chapter 16, part 10
Aid to families with dependent children (AFDC), training for recipients, Title 53, chapter 4, part 7
Associations, membership of school districts or school district trustees authorized, 20-1-211
Boards
  public education, See **PUBLIC EDUCATION, BOARD OF**
  regents of higher education, See **REGENTS OF HIGHER EDUCATION, BOARD OF**
  state board, See **State Board of**
Boat safety, 23-2-512, 23-2-530
Bowhunters, 87-2-105
Charitable institutions, management of funds, Title 72, chapter 30
Charitable trusts, purposes, 72-33-502
Chemical dependency treatment and rehabilitation, 20-25-601 — 20-25-604, 53-24-103
Children's services, multiagency, Title 52, chapter 2, parts 2 and 3
Children's Trust Fund Board, representation on, 2-15-2402
City court judges, training and certification, 3-11-204; Title 3, chapter 1, part 15
Colleges, See specific college; **UNIVERSITY SYSTEM**
Community service corps program, Title 90, chapter 14, part 1
  advisory council, representation, 90-14-104
Continuing
  accountants, public, 37-50-203, 37-50-314
  adults, Title 20, chapter 7, part 7
  architects, 37-65-306
  chiropractors, 37-12-307
  clinical laboratory science practitioners, 37-34-201, 37-34-303
  cosmetologists, 37-31-322
  county assessor, 7-4-3007, 15-1-202, 15-8-106
  county coroner, 7-4-2905
  deaf and blind, Montana school for the — programs at, 20-8-116
  dental hygienists, 37-4-406
  dentists, 37-4-307
  denturists, 37-29-306
  dietitians, 37-21-302
  electricians, 37-68-201
  funeral directors, 37-19-316
  hearing aid dispensers, 37-16-407
  insurance producers, 33-17-1201 — 33-17-1207
  midwives, direct-entry, 37-27-105
  morticians, 37-19-316
  naturopathic physicians, 37-26-201
  nursing home administrators, 37-9-203, 37-9-305
  nutritionists, 37-25-307
  optometrists, 37-10-308
  pharmacists, Title 37, chapter 7
  physical therapists, 37-11-307
  polygraph examiners, 37-62-204, 37-62-207
  professional counselors, 37-23-103, 37-23-205, 37-23-207
  property managers, 37-51-604
  psychologists, 37-17-202, 37-17-306, 37-17-307, 37-17-318
  public accountants, 37-50-203, 37-50-314
  real estate appraisers, 37-54-105, 37-54-210, 37-54-211, 37-54-310, 37-54-311
  real estate brokers and salesmen, 37-51-204

EDUCATION (Continued)
Continuing (Continued)
  respiratory care practitioners, 37-28-104, 37-28-203
  sanitarians, 37-40-203, 37-40-304
  social workers, 37-22-201, 37-22-304, 37-22-306
  speech-language pathologists and audiologists, 37-15-309
  tax appraisers, 15-7-107
  timeshare brokers or salespersons, 37-53-204
  veterinarians, 37-18-104, 37-18-202, 37-18-307
  water and wastewater operators, 37-42-202
  water well contractors, drillers, and monitoring well constructors, 37-43-202
Cooperatives, full service education, Title 20, chapter 7, part 4
Corporate gifts for, 35-1-115, 35-2-118, 35-3-205
Corrections facilities and programs, community — offenders placed in, 53-30-303
Criminal proceedings
  deferred prosecution, conditions, 46-16-130
  release of defendant, conditions, 46-9-108
Deaf and Blind, School for, See **DEAF AND BLIND, MONTANA SCHOOL FOR THE**
Detention center inmates, 7-32-2246
Developmentally disabled persons, See **DEVELOPMENTALLY DISABLED PERSONS, Education**
Disabilities, children with, See **SCHOOLS, Special education**
Discriminatory practices, See **DISCRIMINATION, Educational institutions**
Drivers, See **SCHOOLS, Traffic education**
Drug abuse programs, 20-25-601 — 20-25-604, 44-12-206, 50-32-105, 53-24-103, 61-8-714, 61-8-722
Drug Abuse Resistance Education (D.A.R.E.) Program, 15-30-158; Title 44, chapter 2, part 7
Employee-owned enterprises, on beneficial aspects, 90-5-305
Equal opportunity in education, 20-9-307; Const., X, 1; X, 7
Experimental farms, 20-25-225
Experiment stations
  agricultural, See **MONTANA STATE UNIVERSITY, Agricultural Experiment Station**
  forest and conservation, 17-7-102, 20-25-241 — 20-25-245
Fair Practices, Code of, Title 49, chapter 3
Farm animal and research facilities protection, Title 81, chapter 30, part 1
Finance, See **SCHOOL FINANCE**; **UNIVERSITY SYSTEM**; See also **TRUSTS, Institutional funds**
Financial assistance, Title 20, chapter 26, parts 1, 2, and 11
Firearm, sawed-off — possession for educational purposes, 45-8-340
Fire protection and safety regulations in education buildings, 50-61-103
Fire Services Training Advisory Council, representation on, 2-15-1519
Fire Services Training School, Title 20, chapter 31
Food programs and nutrition services, 50-49-105, 50-49-107
Forestry school, 20-25-205, 20-25-243, 20-25-244
Fraternal benefit societies, purposes, 33-7-109
Free education, Const., X, 1
Genetics program, 50-19-211
Gifted and talented children programs, Title 20, chapter 7, part 9
Goal of education, Const., X, 1
Grizzly bears or parts, donation to institutions, 87-1-511
Guardianship proceedings, visitor, 72-5-313
Handicapped children, See **DEAF AND BLIND, MONTANA SCHOOL FOR THE; SCHOOLS, Special education**
Hazardous chemicals, employee education and training programs, 50-78-204, 50-78-305
Hazardous substances, pertaining to, 50-30-104

EDUCATION (Continued)

Health education programs, 50-1-202, 50-16-1002, 50-18-102, 50-70-105
Higher education
    commissioner of, See **HIGHER EDUCATION**
    federal programs, commission on, 2-15-1515, 20-2-401 — 20-2-403
    western interstate commission for, Title 20, chapter 25, part 8
    western regional higher education compact, Title 20, chapter 25, part 8
Historical society, See **HISTORICAL SOCIETY**
Home arrest, conditions, 46-18-1003
Home schools, 20-5-102, 20-5-109, 20-5-111
Hospital districts, benefits for personnel, 7-34-2122
Household hazardous waste, disposal and reduction, 75-10-104, 75-10-215
Hunter safety, 87-2-105
Identification cards as proof of age, 45-8-206
Indian studies, requirements, 20-4-211 — 20-4-214; Const., X, 1
Insurance
    blanket disability, See **INSURANCE, DISABILITY, Blanket disability insurance**
    insurance producer prelicensing requirements, 33-17-207 — 33-17-209
Interstate Agreement on Qualification of Educational Personnel, 20-4-121 — 20-4-123
Justices of the peace, training and certification, 3-10-203; Title 3, chapter 1, part 15
Land-grant university, See **MONTANA STATE UNIVERSITY**
Land used for, tax exemption, 15-6-201; Const., VIII, 5
Law enforcement, Title 44, chapter 10
Law school, 1-12-101, 1-12-102, 20-25-205, 37-61-204
Library services, 22-1-309, 22-1-312, 22-1-328
Limited liability companies, donations, 35-8-107
Literacy programs, adult, 20-7-714
METNET, 20-9-343, 20-32-101 — 20-32-104
Midwives, direct-entry — requirements, 37-27-105, 37-27-201, 37-27-203
Mint and mint oil production, 80-11-403
Montana-Western Canadian Provinces Boundary Advisory Committee, representation on, 1-13-103
Motor vehicles, gross vehicle weight fee exemption, 61-10-214
Municipal court judges, training and certification, Title 3, chapter 1, part 15
Museums, See **MUSEUMS**; See also **HISTORICAL SOCIETY**
Nonprofit organizations, 23-5-112
    amusement games, Title 23, chapter 6, part 1
    raffles, minors — participation, 23-5-158
    sports pool and sports tab game values, retention of portion when, 23-5-503
Nuclear, 90-5-201 — 90-5-203
Nutrition services and food programs, 50-49-105, 50-49-107
Off-highway vehicle education, 23-2-807, 23-2-818
Older Montanans, 52-3-504
Parental obligation to children, See **PARENT AND CHILD, Education of children**
Physicians, rural — incentive program, 20-26-1501 — 20-26-1503
Postattack emergency regulation, 10-3-505
Postsecondary institutions, Title 20, chapter 30
Pregnancy and prenatal care, 50-19-311
Prisoner supervised release for, 46-23-405
Private schools, See **PRIVATE SCHOOLS**
Product safety, pertaining to, 50-30-104
Professional counselors, institutional activities or services — applicability of provisions, 37-23-201
Public assistance recipients, aid to families with dependent children (AFDC) — training, Title 53, chapter 4, part 7
Realty Regulation, Board of — educational programs by, 37-51-204

EDUCATION (Continued)

Recycling in workplace, 75-10-806
Religion, 20-7-112; Const., X, 7
Research and farm animal facilities protection, Title 81, chapter 30, part 1
Schools, Title 20
Seatbelt use, 61-13-105
Securities registration, exemption, 30-10-104
Seed Laboratory, 20-25-229, 80-5-108 — 80-5-111
Sexually transmitted diseases, education for prevention and control, 50-18-102
Snowmobile safety and education, 23-2-644
Solid waste management, 75-10-104, 75-10-806, 75-10-807
Special education for exceptional children, See **SCHOOLS, Special education**
Special fuel user's courtesy vehicle permit, 15-70-302
State Board of, 2-15-201, 2-15-1501, 20-1-101, 20-2-101, 20-2-114; Const., X, 9, See also **EXECUTIVE BRANCH**, generally
  advisory councils, creation, 2-15-122
  agencies allocated to, 2-15-1511, See **ARTS AND CULTURE, Montana Arts Council; HISTORICAL SOCIETY; LIBRARIES, State Library Commission**
State lands held in trust for, 77-1-102, 77-1-202; Const., X, 11
Telecommunications network (METNET), 20-9-343, 20-32-101 — 20-32-104
Tourist-oriented directional signs, business eligibility, 60-5-522
Traffic, See **SCHOOLS, Traffic education**
Trust funds, Title 72, chapter 30
Trusts for, 40-4-202, 72-33-303, 72-33-305, 72-33-502, 72-34-130
Unemployment insurance coverage, 39-51-203, 39-51-204, 39-51-2108, 39-51-2307
Universities, See specific university; **UNIVERSITY SYSTEM**
Urban renewal property, interest, or facilities for, 7-15-4262, 7-15-4267
Violation of education laws, 20-1-207
Vocational education, K-12, 20-1-101, 20-3-106, 20-16-102, 20-16-201, 39-6-103, 39-71-118, 52-5-106; Title 20, chapter 7, part 3
Vocational-technical centers, Title 20, chapter 16
Waste reduction in workplace, 75-10-806
Water commissioners and mediators, program for, 85-5-111
Water well contractors, drillers, and monitoring well constructors, 37-43-202, 37-43-305
Wild animals possessed for, rabies control exemptions, 50-23-102
Wool Laboratory, 20-25-227, 20-25-228
Workers' compensation permanent partial disability benefits, impairment rating, 39-71-703
Work-study programs, Title 20, chapter 25, part 7
Youth correctional facilities, in and for residents, 20-25-421, 52-5-101, 52-5-103, 52-5-106, 52-5-112

EGGS
  See **POULTRY AND EGGS**

ELDER AND DEVELOPMENTALLY DISABLED ABUSE PREVENTION ACT, Title 52,chapter 3, part 8
  See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation; DEVELOPMENTALLY DISABLED PERSONS, Abuse, neglect, or exploitation**

ELECTED COUNTY OFFICIAL FORM OF GOVERNMENT, 7-1-114, 7-3-111
ELECTION ADMINISTRATOR
  See also generally **COUNTY OFFICERS; PUBLIC OFFICERS OR EMPLOYEES**

ELECTION ADMINISTRATOR (Continued)

Abandonment and consolidation of counties
  election
    joint resolution, transmittal, 7-2-2709
    procedures, 7-2-2710
    returns, statement of, 7-2-2712
  petitions, processing, 7-2-2703, 7-2-2706
Absentee election board
  appointments to, 13-13-225, 13-13-226
  delivery of voted ballot, 13-13-229
  designation and appointment, 13-13-225
  registration card, copy to, 13-13-213
Absentee voting
  application for ballot
    ballot, attachment to returned ballot, 13-13-231
    federal post card application to, 13-2-212, 13-2-214, 13-13-212
    registration card, comparison of signatures, 13-13-213
    transmittal to, 13-2-212, 13-13-211 — 13-13-213
  availability of ballots, to ensure, 13-13-205
  before, 13-13-222
  certificate of absentee voting information by, 13-13-233, 13-13-234
  counting boards, duties, 13-15-104, 13-15-105
  death of voter, duties, 13-13-243
  delivery of ballots to judges by, 13-13-232
  delivery of ballots to voter by, 13-13-213
  facsimile transmission, by, 13-13-277, 13-13-278
  federal post card application to, 13-2-212, 13-2-214, 13-13-212
  illness or health emergency, See **Illness or health emergency, absentee voting**
  mailing of ballot to voter, 13-13-214
  printing of ballots when, 13-13-203
  records by, 13-13-233
  rejected ballots
    endorsement by, 13-13-232
    number, recording, 13-13-233
    retention by, 13-13-232
  return of voted ballot to, 13-13-221
    disposition of ballot, 13-13-231
    envelope for, 13-13-214, 13-13-221
    late receipt, 13-13-232, 13-13-233
    retention of ballots, 13-13-231, 13-13-232
  stamping of ballots, 13-13-214
  voting machines or devices, provision of ballots in precincts where used, 13-13-203
Administrative authority, 13-1-301; Const., IV, 3
Advisory council, 13-13-279
Annual political subdivision elections, duties, 13-1-301, 13-1-401
Authority, 13-1-301; Const., IV, 3
Ballot issues
  abbreviated form, request, 13-27-501
  certification to, 13-10-208, 13-12-201, 13-27-501
  investigation of elector or petition circulator, names submitted for, 13-27-303
  petitions and signature sheets, public availability, 13-27-208
  recount petition, filing with, 13-16-201
  verification of petition signatures, 13-27-301
Ballots
  alternative means for casting for voters assigned to inaccessible polling places, 13-3-213
  arrangement, authority, 13-12-205, 13-12-207, 13-12-212

ELECTION ADMINISTRATOR (Continued)
Ballots (Continued)

- certification, 13-10-208, 13-12-201
- delivery to polling place, 13-12-102, 13-12-210
- destruction, 13-1-303
- form requirements, 13-12-212
- invalid ballots when, 13-12-212
- labels for filled vacancies, affixation or delivery to judges, 13-12-204
- lot, arrangement of names determined by, 13-12-205
- number of ballots, record of, 13-12-210, 13-13-115
- paper ballots, authorization, 13-17-305, 13-17-306
- preservation, 13-1-303
- printing by, 13-10-208, 13-12-201, 13-17-305, 13-37-126
- provision by, 13-12-212
- rotation of names by, 13-12-205
- sample ballots, provision by, 13-12-214
- stamp, determination of information, 13-13-116
- vacancies, affixation of labels, 13-12-204

Campaign finance reports, filing with, 13-37-225
Campaigning
- code of fair campaign practices, provision of forms, 13-35-302
- violations, notice to, 13-37-126

Campaign practices, statements and information — responsibilities, 7-4-2611
Campaign treasurer, certification filed with, 13-37-201
Cancellation of election, notice, 13-1-304
Canvassing of votes
- certification, issuance, 13-15-406
  - polls not open, 13-15-402
  - tie vote certified to, 13-15-405
- counting board
  - absentee voting counting boards, 13-15-104, 13-15-105
  - marshal, appointment by, 13-15-103
  - meeting place designated by, 13-15-103
- county canvassers, board of
  - delinquent returns, notice to, 13-15-402
  - recount, petition for, 13-15-403, 13-16-201
  - secretary of, 13-15-401, 13-15-404
- disposition of election materials, 13-15-205, 13-15-301
- return of election materials to, 13-15-205
- returns
  - copy to, 13-15-101
  - delinquent, notices, 13-15-402, 13-15-503
  - forms furnished by, 13-15-101
- tally sheets, disposition, 13-15-301
- tie votes
  - certified to, 13-15-405
  - drawing by lot, 13-16-501
- voting machines or devices, provisions for delivery of ballots to counting center, 13-15-103

Challenges of voters
- affidavit, filing with and copies to judges, 13-2-404
- assistance to judges, 13-13-305

Cities and towns
- organization and incorporation, filing of petition and map, 7-2-4101
- petitions, duties, 7-2-4101

City-county consolidation
- elections, duties, 7-3-1271

ELECTION ADMINISTRATOR (Continued)
City-county consolidation (Continued)

- petitions
  - certification, 7-3-1205
  - filing, 7-3-1204

City officers' oaths, filing, 7-1-4137
Code of Fair Campaign Practices, provision of forms, 13-35-302
Conservation districts
- ballots, preparation, 76-15-303
- nominating petitions, filing, 76-15-302
- project areas, notification of election for creation, 76-15-605
- seven-supervisor areas, conduct of election, 76-15-305
- supervisor's residence requirement, ordinance submitted to, 76-15-301

Contests, destruction of ballots after, 13-1-303
Counties
- abandonment, See **Abandonment and consolidation of counties**
- general obligation bond election proceedings
  - delivery, 7-7-2226
  - filing and certification, 7-7-2223, 7-7-2225
- new, See **New counties, creation by legislation; New counties, creation by petition**

County central committee rules to be filed with, 13-38-105
County clerk and recorder as, 7-2-2302, 13-1-101, 13-1-301
County fire district trustees, petition for nomination filed with, 7-33-2106
County park district commissioners, nomination petitions filed with, 7-16-2421
County water and/or sewer districts
- assistance, 7-13-2243
- candidates, withdrawal, 7-13-2246
- creation, election certificate — filing and recording, 7-13-2214
- electors, proof of registration filed with, 7-13-2212
- petition of nomination, filing, 7-13-2241

Defined, 13-1-101, 13-1-301
Deputies, 13-1-301
Districts
- districting and apportionment plan, consultation, 13-3-102
- list to secretary of state, 13-1-204

Drainage district election notices, 85-8-624
Expenses, 13-1-203, 13-1-302, 13-2-117
Facsimile, absentee voter registration and voting by, 13-13-277 — 13-13-279
Forms, 13-1-202
Health emergency, absentee voting, See **Illness or health emergency, absentee voting**
Hospital district trustees, nomination petitions filed with, 7-34-2117
Illness or health emergency, absentee voting
- delivery of voted ballot by board, 13-13-229
- registration card, copy to board, 13-13-213
- request for ballot, 13-13-211

Irrigation district commissioners, petition filed with, 85-7-1702
Judges of elections
- appointments
  - emergency, by, 13-4-207
  - notice by, 13-4-104
  - other board, recommendation for, 13-4-101
  - vacancies, by, 13-4-102
- chief judge, excuse by, 13-4-207
- compensation, certification of amount due, 13-4-106
- counting board, recommendation for appointment, 13-4-101
- emergencies, authority in, 13-4-207
- excuse of chief election judge, 13-4-207

ELECTION ADMINISTRATOR (Continued)
Judges of elections (Continued)

- instruction sessions by, 13-4-104, 13-4-203
- lists of qualified persons to, 13-4-102
- meeting time set by, 13-13-101
- notice of appointment by, 13-4-104
- other board, recommendation for, 13-4-101
- supplies to be returned to, 13-4-201
- training sessions by, 13-4-104, 13-4-203
- travel expenses, certification, 13-4-106
- vacancies filled by, 13-4-102

Laws, copies of election laws to and distribution, 13-1-202, 13-12-101
Local annual elections, duties, 13-1-301, 13-1-401
Local government
- initiative and referendum petitions
  - adequacy, determination, 7-5-136
  - election and ordinance, notice, 7-5-136
  - sample, approval of form, 7-5-134
- review of government and establishing study commission, report of election results, 7-3-174
- service consolidation or transfer election notices, preparation and printing, 7-11-307

Mail ballot elections
- absentee voting, 13-19-303
- advice to secretary of state, 13-19-105
- ballots
  - canvassing and handling, 13-19-312
  - deposit, place of — designation, 13-19-106, 13-19-306, 13-19-307
  - return of voted ballots, disposition, 13-19-308
- discrepancies, resolving, 13-19-314
- initiation
  - election administrator, by, 13-19-201, 13-19-203
  - governing body, transmittal and response to request, 13-19-202
- materials, distribution to electors, 13-19-206
- nonregistered electors, voting, 13-19-304
- notice to elector
  - procedural mistakes, 13-19-313
  - signature verification, discrepancies, 13-19-310, 13-19-313
- objection to, filing, 13-19-204
- plans, written — preparation, 13-19-202, 13-19-203, 13-19-205
- proportional voting, method for, 13-19-302
- questions, resolving, 13-19-314
- records, 13-19-305
- replacement ballots, procedures, 13-19-305
- signature verification, 13-19-310, 13-19-314

"Motor-voter" registration, 61-5-107
New counties, creation by legislation
- county clerk as election administrator, 7-2-2302
- election for location of county seat
  - ballots, printing and distribution, 7-2-2312, 7-2-2315
  - judges, supplies to, 7-2-2315
- petitions, responsibilities, 7-2-2312, 7-2-2313

New counties, creation by petition
- certificate of election to officers, 7-2-2223
- county seat, filing of petitions for nominations for, 7-2-2218
- election supplies and equipment, 7-2-2219
- sample petitions, rejection or approval, 7-2-2206

ELECTION ADMINISTRATOR (Continued)

Nominations
  nonpartisan
    declaration, filing with, 13-14-112, 13-14-114
    petition, filing with, 13-14-113, 13-14-114
  petition
    filing with, 7-14-1106, 13-10-503, 13-10-504
    presidential candidates, 13-10-504
    samples to, 13-10-501
Nonpartisan elections
  ballots, preparation and distribution, 13-14-115
  declarations for nomination, filing with, 13-14-112
  holding, determination, 13-14-115
  judicial unopposed incumbent candidates, ballot form to be used by, 13-14-213
  petition for nomination, filing with, 13-14-113
  registrar of candidates, entry in, 13-14-114
Personnel, 7-2-2703, 13-2-117
Political parties
  precinct committeemen, filing of declaration for nomination with, 13-38-201
  primary election petitions of minor parties, duties, 13-10-601
  rules, filing with, 13-38-105
Political subdivisions, elections of
  deputy administrators for, 13-1-301
  duties, 13-1-401
Polling places
  accessibility to handicapped and elderly voters
    accessible polling place
      assignment of voter to, request for, 13-3-213
      unavailability, procedures, 13-3-212
    ballots, alternative means of casting, 13-3-213, 13-13-211
    inaccessible polling place
      ballots, alternative means for casting when voter assigned to, 13-3-213
      exemption, request for, 13-3-212
    notice of polling place location, inclusion of accessibility classification, 13-3-105
    standards for, advice concerning, 13-3-205
    survey of polling places to determine, procedures, 13-3-206, 13-3-212
    temporary polling place, designation when, 13-3-211
  booths, provision, 13-13-111
  change by, 13-3-105, 13-3-211
  emergency change by, 13-3-105, 13-3-211
  initiative petitions, signature gathering, 13-13-122, 13-35-211, 13-35-218
  notice of locations, 13-2-207, 13-2-215, 13-3-105
  obstructions, prevention, 13-13-122, 13-35-218
  poll watchers, permission for additional poll watchers, 13-13-121
  supplies, delivery to, 13-12-102
  voting machines, provision, 13-13-111
Port authority commissioners, nomination petitions — filing, 7-14-1106
Precincts
  boundary changes, legal description to, 13-3-103
  list to secretary of state, 13-1-204
  map to secretary of state, 13-1-204
Presidential elections
  certification of candidates, 13-25-101
  petitions of nomination
    filing, 13-10-504
    verification of signatures, 13-10-405, 13-10-504

ELECTION ADMINISTRATOR (Continued)

Primary elections
  ballots
    certification and printing, 13-10-208
    return to, 13-10-311
  certification of candidates, 13-10-208
    successor candidates, 13-10-327
    when no election held, 13-10-209
  declarations for nomination, filing with, 13-10-201
  double nomination, notice of party preference to, 13-10-303
  facsimile transmission, acts taken by, 13-13-277, 13-13-278
  indigent candidates, petition for nomination — verification of signatures, 13-10-203, 13-10-204
  minor party petitions, duties, 13-10-601
  omission of election when insufficient number of candidates, certification of candidates, 13-10-209
  presidential preference, verification of petition signatures, 13-10-405
  register of candidates, 13-10-205, 13-14-114
  return of ballots to, 13-10-311
  unnecessary elections when insufficient number of candidates
    cancellation, 13-1-304
    certification of candidates, 13-10-209
  write-in candidates, acceptance of nomination filed with, 13-10-204
Procedures information, dissemination of incorrect of misleading, 13-35-235
Qualifications, 13-1-101, 13-1-301
Recall petitions
  approved, numbering, 2-16-617
  filing, 2-16-615
  form, review, 2-16-617
  notification to officer, 2-16-621
  signatures, counting, 2-16-620
Records
  destruction, 13-1-303
  preservation, 13-1-303
  secretary of state, to, 13-1-204
Recounts
  ballots and supplies for recount
    destruction after, 13-1-303
    production, 13-16-412
    return to, 13-16-417
  certificate, attestation, 13-16-418
  county recount board
    notice to, 13-16-204
    secretary, as, 13-16-101
  inspection of ballots, 13-16-420
  missing or misplaced ballots, 13-16-420
  petition for
    filing with, 13-15-403, 13-16-201, 13-16-211
    notice to, 13-16-201
  tie, procedure upon certification to, 13-16-203
  voting machines, resealing in presence of, 13-16-417
Redistricting and reapportionment plan, consultation, 13-3-102
"Registrar" defined as, 13-1-101
Registration of voters
  authority, 13-1-301
  cancellation duties, 13-2-207, 13-2-401 — 13-2-403, 13-2-513

ELECTION ADMINISTRATOR (Continued)
Registration of voters (Continued)

- certificate of omission, issuance, 13-2-603
- challenges, duties, 13-2-403, 13-2-404
- close of
    - acceptance of registration by deputies after, 13-2-203
    - procedure, 13-2-301
    - registration with, during closed period, 13-2-302
- costs, 13-2-117
- count to secretary of state, 13-1-204
- deputy registrars, 13-2-202
- driver's license applications, voter registration form attached, 61-5-107
- electors in united states service
    - facsimile transmission, by, 13-13-277, 13-13-278
    - federal post card filed with, 13-2-212, 13-2-214
    - notice to electors, 13-2-214
- facsimile transmission, by, 13-13-277, 13-13-278
- federal post card application, duties, 13-2-212, 13-2-214
- filing of forms, 13-2-112, 13-2-114, 13-2-214
- hours for, 13-2-201
- lists, preparation and use, 13-2-115, 13-2-122
- mailing labels, duties, 13-2-122
- mail registration, duties, 13-2-203, 13-2-212, 61-5-107
- "motor-voter" registration, 61-5-107
- name change of elector, notice to, 13-2-511, 13-2-512
- notice of
    - cancellation, 13-2-401
    - challenge, to elector, 13-2-403, 13-2-404
    - close of registration, 13-2-301
    - facsimile transmission, 13-13-277, 13-13-278
    - name, change, 13-2-511
    - polling place, 13-2-207, 13-2-215
    - previous registration, 13-2-515
    - registration, to electors, 13-2-207, 13-2-214, 13-2-215, 13-2-515
    - residence, change, 13-2-511
- numbering of forms, 13-2-114
- office hours for, 13-2-201
- omissions from precinct register by, 13-2-603
- personal registration before, 13-2-202
- personnel to assist, 13-2-117
- precinct register, duties
    - addendum, 13-2-601, 13-3-213
    - fees, 13-2-122
    - omissions, 13-2-603
    - preparation, 13-2-116
- previous registrations, checking for, 13-2-515
- records, 13-2-112
- registrar, election administrator defined as, 13-1-101
- residence of elector, notice of change to, 13-2-511, 13-2-512, 13-2-514
- time for, 13-2-201, 13-2-203
- transfer of registration, duties, 13-2-511, 13-2-513, 13-2-514

Rural fire district trustees, petition for nomination filed with, 7-33-2106
School bond issue petitions, submission and certification, 20-9-423 — 20-9-425
School elections

- fee schedule, 13-1-302, 13-1-401
- registered electors, list of
    - delivery and charge, 20-20-313

ELECTION ADMINISTRATOR (Continued)
School elections (Continued)
  registered electors, list of (Continued)
    format, 20-20-312
    preparation, 20-20-201, 20-20-312
  request to conduct, 20-20-401, 20-20-417
  resolution for, 20-20-201
Scope of authority, 13-1-301; Const., IV, 3
Seal
  county bond issues, petitions for, 7-7-2225
  recount certificates, 13-16-418
  transportation districts, petitions for creation, 7-14-205
Secretary of state, advice to, 13-1-202
Service districts, multijurisdictional — boundary description preparation, 7-11-1105
Supplies to, 13-1-202
Tie votes
  certification to, 13-15-405
  drawing by lot, 13-16-501
Training sessions, 13-1-203
Transportation districts
  board candidates, petitions of candidacy filed with, 7-14-214
  creation, petition for — filing and certificate, 7-14-205
Voting booths, provision, 13-13-111
Voting machines or devices
  approval report, transmittal to, 13-17-101
  arrangement at polling place, 13-13-111
  ballots, paper — authorization for, 13-17-306
  certification of instruction, issuance, 13-17-201
  demonstration by, 13-17-204
  examination of equipment, report to, 13-17-101
  exhibit in office of, 13-17-204
  instructions for electors, provision, 13-17-203, 13-17-204
  instructions for judges, provision, 13-17-201
  notice of use and location, 13-17-203
  number of electors voting, provision of recording method, 13-13-115
  paper ballots, authorization for, 13-17-305, 13-17-306
  placement at polling place, 13-13-111
  provision, 13-13-111
  sample ballots, publication, 13-17-203
Voting procedures generally
  absentee voting, See **Absentee voting**
  ballots
    alternative means of casting when voter assigned to inaccessible polling place, 13-3-213
    number, record, 13-12-210, 13-13-115
    stamp, determination of information, 13-13-116
  booths, provision, 13-13-111
  initiative petitions, signature gathering, 13-13-122, 13-35-211, 13-35-218
  number of electors voting, recording, 13-12-210, 13-13-115
  obstructions at polling places, prevention, 13-13-122, 13-35-218
  poll watchers, permission to additional poll watchers, 13-13-121
  precinct register, preparation, 13-2-116
Workshops, 13-1-203
Write-in candidates, declaration of intent — filing, 13-10-211
Youth voting program, participation, 13-22-103, 13-22-106

ELECTIONS
  See also main category for specific office

ELECTIONS (Continued)

Absentee election board
- appointments to, 13-13-225, 13-13-226
- compensation and expenses, 13-13-228
- composition, 13-13-225
- delivery of ballot and application to voter, 13-13-212
- designation and appointment, 13-13-225
- funding, 13-13-230
- oath, 13-13-227
- registration card, comparison of signatures, 13-13-213
- return of voted ballot to, 13-13-221
- voting performed before, 13-13-229

Absentee voting
- affirmation of ballot, 13-13-221
- application for ballot
  - ballot, attachment to returned ballot, 13-13-231
  - facsimile transmission, by, 13-13-212
  - federal post card, 13-2-212, 13-2-214, 13-13-212
  - registration card, comparison of signatures, 13-13-213
  - time, 13-13-211, 13-13-271
  - transmittal, 13-13-213
  - united states service, persons in, 13-2-212, 13-2-214, 13-13-271
  - when, 13-13-211, 13-13-271
  - written request, 13-13-212, 13-13-271
- availability of ballots when, 13-13-205, 13-13-222
- ballot box, deposit, 13-13-241, 13-13-244
- certificate of absentee voting information, 13-13-233, 13-13-234
- constitutional requirement, Const., IV, 3
- counting boards, 13-4-101, 13-15-104, 13-15-105
- death of voter, 13-13-204, 13-13-243
- delivery of ballots to judges, 13-13-232
- delivery of ballot to voter, 13-13-213, 13-13-214
- destroyed ballots, 13-13-204, 13-13-243
- election administrator, voting before prior to election, 13-13-222, See also **ELECTION ADMINISTRATOR**
- errors or omissions on ballot, 13-13-204, 13-13-243, 13-13-272
- examination of ballot, 13-13-241
- facsimile transmission
  - application for ballot, 13-13-212
  - authorization, 13-13-277
  - funds for implementation, 13-13-278
  - implementation of provisions, 13-13-278, 13-13-279
  - legislative findings, 13-13-276
  - purpose of provisions, 13-13-276
  - report concerning, 13-13-279
  - rules, 13-13-278, 13-13-279
  - uses, 13-13-277
- failure to receive ballot, 13-13-204
- federal post card application, 13-2-212, 13-2-214, 13-13-212
- federal write-in
  - counting, 13-13-273, 13-15-202
  - procedure for voting, 13-2-212, 13-13-272
  - qualifications and application, 13-2-212, 13-13-271
- grounds, 13-3-213, 13-13-201, 13-13-222
- handicapped voters, by, 13-3-213, 13-13-222, See also **Handicapped voters**

ELECTIONS (Continued)
Absentee voting (Continued)
- health emergency arising prior to election, See **Illness or health emergency, absentee voting**
- illness, persons suffering from, See **Illness or health emergency, absentee voting**
- instructions, 13-13-214
- judges of elections, by, 13-13-201
- late receipt of ballot, 13-2-401, 13-13-232, 13-13-233
- list of voters posted in polling place, 13-13-233
- mail ballot elections, 13-19-303
- mailing of ballot to voter, 13-13-214
- marking ballot, 13-13-221, 13-13-272
- numbering of ballots, 13-13-233
- opening of ballots, 13-13-241, 13-13-244
- pollbooks, entries, 13-13-234
- posting of list of absentee voters in polling place, 13-13-233
- presence of voter on election day, may vote in person, 13-13-204, 13-13-243
- records, 13-13-233, 13-13-234
- registration of voter, effect, 13-2-401
- rejected ballots, See also **Canvassing of votes**
  - disposition, 13-13-241, 13-13-243
  - endorsement, 13-13-232
  - number, recording, 13-13-233
  - revote in person, 13-13-204, 13-13-243
  - when, 13-13-232, 13-13-204, 13-13-241
- reservation of ballots, recording, 13-12-102
- residence change immediately prior to election, upon, 13-2-514
- retention of late ballots, 13-13-232, 13-13-233
- return of voted ballot
  - disposition of ballot, 13-13-231
  - envelope, 13-13-214, 13-13-221
  - late receipt, 13-2-401, 13-13-232, 13-13-233
  - mail, 13-13-221
  - personal delivery to election administrator, 13-13-221
- stamping of ballots, 13-13-214
- voting machines or devices, in precincts where used, 13-13-203, 13-13-204, 13-15-202
- when, 13-3-213, 13-13-201, 13-13-205, 13-13-222, 13-13-271

Abuse of electoral process, Const., IV, 3
Actions
- ballot issues, adjudication of statements of purpose or implication or fiscal statement, 13-27-316
- bond issues, restraint, 17-5-1001
- campaign violations, See **Campaign finance; Campaign practices**
- commissioner of political practices, appeal of removal from office, 13-37-102
- contests, 13-36-101, See **Contest of election**
- injunctions, 13-35-108
- precinct register, to compel entry of name, 13-2-602
- recounts, 13-16-301, See **Recounts**, court order, under
- registration, to compel, 13-2-602
- voiding election, 13-35-107

Administration, 13-1-201, 13-1-301; Const., IV, 3, See **ELECTION ADMINISTRATOR; SECRETARY OF STATE**
Advertising
- anonymous, not to be, 13-35-225, 13-37-210
- notice of election, 13-1-401
- petty cash, prohibited use, 13-37-215
- political (action) committees, labeling, 13-37-210

ELECTIONS (Continued)
Advertising (Continued)

- registration, notice of cancellation, 13-2-401
- solicitation of votes on election day, 13-35-233

Advisory opinions, 13-1-202
Aged voters, accessibility to polling places, See **Polling places**
Amendments to constitutions, See **CONSTITUTION OF MONTANA; CONSTITUTION OF THE UNITED STATES**
Annual local elections, See **Political subdivisions, elections of**
Annulment of election, 13-35-107, See also **Contest of election**
Applicability of laws, 13-1-201; Const., IV, 3
Arrest

- authority, 13-13-122
- exemptions when, 13-1-115, 46-6-102; Const., IV, 6

Assembly, freedom of, Const., II, 6
Attorney general, duties, See **ATTORNEY GENERAL**
Ballot issues, See **BALLOT ISSUES**
Ballots

- absentee, See **Absentee voting**
- arrangement
  - alphabetical, 13-12-205
  - ballot issues, 13-12-207
  - constitutional amendments, 13-12-207
  - double nomination, when, 13-10-303
  - lot, determined by, 13-12-205
  - office
    - grouping of names under, 13-12-203
    - order, 13-12-207
  - order, 13-12-207, 13-17-206
  - printing, 13-17-305
  - rotation, 13-12-205
  - voting machine or device, for, 13-17-206
  - write-in blanks, 13-12-208
- ballot issues, See **BALLOT ISSUES**
- campaign reporting, removal from ballot for failure to file, 13-37-126
- casting, See **Absentee voting**; **Voting procedure**
- certification, 13-12-201
  - ballot issues, 13-27-501
  - falsification, 13-35-207
  - presidential election, 13-25-101
  - primary election, 13-10-208, 13-10-327
- constitutional amendments and convention, united states, 13-26-105
- constitutional convention, Montana, 13-1-122
- contents, 13-12-202
- counting, See **Canvassing of votes**
- delivery to polling place, 13-12-102, 13-12-210
- destruction, 13-1-303
- disposition after election, 13-1-303, 13-15-205
- form, 13-12-202, 13-12-212
  - constitutional amendment, united states, 13-26-105
  - constitutional convention, Montana, 13-1-122
  - primary elections, 13-10-209
  - secretary of state, prescribed by, 13-1-202
- injunction restraining preparation, 13-35-221
- invalid ballots, 13-12-212
- judicial officers, unopposed incumbents, 13-14-212, 13-14-213; Const., VII, 8
- labels when vacancy filled, 13-12-204

ELECTIONS (Continued)
Ballots (Continued)

- lot, arrangement of names determined by, 13-12-205
- mail ballot elections, See **Mail ballot elections**
- marking, See **Absentee voting; Voting procedure**
- names, format, 13-12-203, 13-12-205
- nonpartisan primary ballots, 13-14-115
- number to each precinct, 13-12-210
- paper ballots
  - form and instructions, 13-12-209
  - pollbook entries, 13-13-115
  - voting machines, use in lieu of or in addition to, 13-17-305, 13-17-306
- party designation, 13-10-303, 13-12-203
  - primary election, 13-10-209, 13-10-303
- preservation, 13-1-303
- presidential electors' names not to be printed, 13-25-101
- primary elections, specific provisions, See **Primary elections and nominations**
- printing, 13-12-201
  - primary elections, 13-10-208
- provision by election administrator, 13-12-212
- rejection, See **Absentee voting; Canvassing of votes**
- rotation of names, 13-12-205
- sample ballots, 13-12-214, 13-13-112, 13-17-203
- secret ballot, See **Secret ballot**
- spoiled, 13-12-210, 13-13-112, 13-13-117
- uniformity, 13-12-202
- vacancies, labels when filled, 13-12-204
- voting machines, See **Voting machines or devices**
- voting procedure, See **Voting procedure**
- write-in blanks, 13-12-208
- youth voting program, 13-22-104 — 13-22-106

Boards
- absentee election, See **Absentee election board**
- counting, 13-4-101, 13-15-103
- county canvassers, See **Canvassing of votes**
- county recount, See **Recounts**
- state canvassers, See **Canvassing of votes**

Bond issues, See **BALLOT ISSUES**
Bribery, See **Crimes and prohibited acts**
Campaign finance, See also **Campaign practices**, statements and information to be filed with commissioner of political practices; **Campaign treasurer**
- accounts
  - currency, 13-37-208
  - deputies, of, 13-37-208
  - detail, 13-37-208
  - inspection, 13-37-209
  - preservation, 13-37-208
  - uniform system, 13-37-117
- accounts for deposit, type, 13-37-207
- actions for inspection of accounts, 13-37-209
- actions for violations, 13-37-128
  - commencement, 13-37-124
  - damages, 13-37-128, 13-37-129
  - evidence, 13-37-125
  - exclusive remedy, 13-37-130
  - fines, disposition, 13-37-129
  - investigation, 13-37-125

ELECTIONS (Continued)
Campaign finance (Continued)
  actions for violations (Continued)
    judgment, 13-37-130
    notice to county attorney, 13-37-124
    prosecution, 13-37-124
    statute of limitation, 13-37-130
  advertising, 13-37-215
  "candidate" defined, 13-1-101
  contributions
    accounts, See **Campaign finance**, accounts
    agency shop fees, use for prohibited, 39-31-402, 39-32-109
    city-county consolidated government officers and employees, restrictions, 7-3-1254
    community service corps personnel, prohibited when, 90-14-106
    corporate, 13-35-227, 13-35-228
    defined, 13-1-101
    deposit, 13-37-205, 13-37-207
    employers, unlawful acts, 13-35-226, 13-35-228
    insurers, prohibited, 33-18-305
    limitation, 13-37-216, 13-37-218
    Montana conservation corps personnel, prohibited when, 23-1-314
    name of contributor required, 13-37-217
    political (action) committees, 13-37-218, 13-37-226
    report required, 13-37-225, 13-37-226, 13-37-228, 13-37-229, See also **Campaign finance**, reporting requirements
    statement, 13-37-207, See also **Campaign practices**
    union dues, use for prohibited, 39-31-402
  depositories, 13-37-205
  employers coercing or requiring contributions from employees unlawful, 13-35-226, 13-35-228
  exceptions for school districts and special districts, 13-37-206
  expenditures
    defined, 13-1-101
    report required, 13-37-225, 13-37-230, See also **Campaign finance**, reporting requirements
  forms, manuals, and reports — provision, 13-37-117
  investigative authority, 13-37-111, 13-37-123, 13-37-125
  media expenses, 13-37-215
  noncompliance orders, See **Campaign practices**, statements and information to be filed with commissioner of political practices
  petty cash fund, 13-37-215
  political (action) committee
    contributions limited, 13-37-218
    naming and labeling, 13-37-210
  records
    contributions, deposit statement, 13-37-207
    deposit statement, 13-37-207
    deputy authorization, 13-37-202
    financial disclosure reports, 13-37-231
  reporting requirements, See also **Campaign practices**, statements and information to be filed with commissioner of political practices
    certification, 13-37-231
    closing report, 13-37-226, 13-37-228
    comprehensive report, 13-37-227
    contents, 13-37-228 — 13-37-230
    federal reports accepted, 13-37-225
    filing, 13-37-225, 13-37-226
    investigation, 13-37-111, 13-37-123

ELECTIONS (Continued)
Campaign finance (Continued)
- reporting requirements (Continued)
    - periodic reports, 13-37-228
    - preservation, 13-37-231
    - required, 2-2-104, 13-37-225
    - scope of report, 13-37-228
    - subsequent reports, 13-37-228
    - time periods covered, 13-37-226, 13-37-228
    - uniformity, 13-37-117
    - verification, 13-37-231
    - violations, See **Campaign finance**, actions for violations
    - write-in elections, individuals elected by, 13-15-111
- rulemaking authority, 13-37-114, 13-37-227
- school elections, exceptions, 13-37-206
- special districts, exceptions, 13-37-206
- treasurer, See **Campaign treasurer**
- trivial benefits not criminalized, 13-35-102

Campaign finances and practices, commissioner of, See **Political practices, commissioner of**

Campaign practices
- actions, 13-37-121, 13-37-128
    - commencement, 13-37-124
    - damages, 13-37-128, 13-37-129
    - evidence, 13-37-125
    - fines, disposition, 13-37-124, 13-37-129
    - investigation, 13-37-125
    - judgment, 13-37-130
    - jurisdiction, 13-37-113
    - notice to county attorney, 13-37-124
    - prosecution, 13-37-113, 13-37-124
    - statute of limitation, 13-37-130
    - venue, 13-37-113
- advertising
    - anonymous, not to be, 13-35-225, 13-37-210
    - election day, on, 13-35-233
- "candidate" defined, 13-1-101
- code of fair campaign practices, 13-35-301
    - subscribing to, 13-35-302
- commissioner, See **Political practices, commissioner of**
- day of election, campaigning on, 13-35-211, 13-35-233
- defamation
    - ballot issues, in voter information pamphlet, 13-27-408, 13-27-409
    - code of fair campaign practices, 13-35-301
    - criminal charges, 13-35-234
    - radio broadcasts, liability, 27-1-811
    - voter information pamphlet, 13-27-408, 13-27-409
- election laws, distribution, 13-37-117
- employers, unlawful practices, 13-35-226
- endorsement of candidates
    - judicial candidates, political party endorsement unlawful, 13-35-231
    - justices of the peace, political party endorsement prohibited, 3-10-201
    - religious organizations, by — limitation, 13-35-218
- financial disclosure statements by elected officials, 5-7-213
- investigative authority, 13-37-111, 13-37-125
- laws, distribution, 13-37-117
- political committee
    - defined, 13-1-101

ELECTIONS (Continued)
Campaign practices (Continued)
- political committee (Continued)
  - naming and labeling, 13-37-210
- public employees, by, 13-35-226, See also **PUBLIC OFFICERS OR EMPLOYEES, Political activity**
- radio broadcasts, liability for defamatory material, 27-1-811
- rulemaking authority, 13-37-114
- statements and information to be filed with commissioner of political practices, See also **Campaign finance**, reporting requirements
  - action to compel, 13-37-121, 13-37-128
    - damages, 13-37-128, 13-37-129
    - procedure, 13-37-124, 13-37-125, 13-37-130
    - statute of limitation, 13-37-130
  - copies, 13-37-119
  - damages for noncompliance, 13-37-128, 13-37-129
  - destruction, 13-37-119
  - effect, 13-37-126
  - examination, 13-37-121, 13-37-123
  - failure to file, 13-12-201, 13-37-121, 13-37-126, 13-37-127
  - filing, 7-4-2611, 13-37-117
  - financial disclosure statements by elected officials, 5-7-213
  - fines, disposition, 13-37-129
  - forms prescribed by commissioner, 13-37-117
  - indexing, 7-4-2611
  - inspection after filing, 13-37-121, 13-37-123
  - investigative authority, 13-37-111
  - noncompliance orders
    - action to compel compliance, 13-37-121, 13-37-128
    - authority to issue, 13-37-115
    - effect, 13-37-126
    - grounds, 13-37-121
    - issuance, 13-37-115, 13-37-121
    - judicial review, 13-37-122
    - review, 13-37-122
    - time for submission of required information, 13-37-121
  - notice of noncompliance, 13-37-121, 13-37-126
  - preservation, 13-37-119
  - public, 13-37-119
  - required, 13-37-126, 13-37-127
  - retention, 13-37-119
  - summaries, 13-37-119
  - vacancies created by failure to file, 13-37-126
  - voluntary, 13-37-118
- telephone solicitation, automated — unlawful when, 45-8-216
- trivial benefits not criminalized, 13-35-102
- volunteers, excluded as contribution, 13-1-101

Campaign treasurer, See also **Campaign finance**
- advertising, to be identified on, 13-35-225
- certification, 13-37-201 — 13-37-203
- committees, for — organizational statement, 13-37-201
- criminal conviction, ineligible as candidate, 13-35-106
- death, 13-37-204
- deputies, 13-37-202, 13-37-205, 13-37-208
- exceptions for school districts, 13-37-206
- noncompliance orders, application for review, 13-37-122
- petty cash withdrawals, 13-37-215
- qualifications, 13-37-203

ELECTIONS (Continued)
Campaign treasurer (Continued)

- records of, 13-37-202, 13-37-207, 13-37-208
  - inspection, 13-37-209
- removal, 13-37-204
- reports, failure to file, 13-37-126, 13-37-127
- required, 13-37-201
- resignation, 13-37-204
- school elections, 13-37-206
- special districts, 13-37-206
- vacancies, 13-37-204, 13-37-208

Cancellation of election, 13-1-304, 13-10-209
Candidates, 13-1-101, See also main category for specific office

- absentee election board, membership not allowed, 13-13-225
- campaigning, See **Campaign** entries
- commissioners of political practices, former — as, 13-37-103
- conviction of
  - election laws violation, effect, 13-35-106
  - felony, Const., IV, 4
- eligibility, 49-1-202, 49-1-203; Const., IV, 4
- finances, See **Campaign finance**
- independent
  - congressional special elections, filing of nominating petition, 13-25-205
  - nomination, 13-10-501, See **Nomination of candidates**
  - party name, use by, 13-10-602
  - party nomination, forfeiture of place as independent, 13-10-305
  - political parties, association with — not allowed when, 13-10-507
  - presidential candidates, See **Presidential elections**
- indigent, primary election, See **Primary elections and nominations**
- judge of election, prohibited as, 13-4-107
- laws, distribution of election laws to, 13-37-117
- nomination, See **Nomination of candidates**; **Primary elections and nominations**
- poll watchers, requests for additional poll watchers by, 13-13-121
- public office, candidacy while holding other public office, Const., VI, 5
- recount board member, disqualification, 13-16-101
- vacancies, See **Vacancies**
- withdrawal, 13-10-211, 13-10-325
  - primary, from, 13-10-326
  - successor candidate, 13-10-327
- write-in candidates, See **Write-in candidates and votes**
- youth voting program, purpose, 13-22-102, 13-22-105

Canvassers, Board of, See **Canvassing of votes**
Canvassing of votes

- ballot issues, applicability of laws, 13-27-503
- certification of nomination or election
  - campaign reporting, withholding for failure, 13-37-127
  - contests, effect, 13-36-104, 13-36-207
  - court, by, 13-36-104
  - defect in return, effect, 13-15-102
  - destruction or defacing, 13-35-206
  - election administrator, issuance, 13-15-406
  - falsification, 13-35-207
  - issuance, 13-15-406
  - suppression, 13-35-205
- certification of pollbook, 13-15-204
- certification of polls not open in a precinct, 13-15-402

ELECTIONS (Continued)
Canvassing of votes (Continued)

- certification of results
  - county canvassers, by, 13-15-403, 13-15-405
  - destruction or defacing, 13-35-206
  - election administrator, to, 13-15-405
  - governor, to, 2-15-401, 13-15-507
  - report of canvass, 13-15-507
  - secretary of state, by, 2-15-401
  - state canvassers
    - by, 13-15-505, 13-15-507
    - to, 13-15-501
  - suppression, 13-35-205
  - tie vote, 13-15-405
- commissions, See **Commissions to elected individuals**
- constitutional convention and amendments, united states, 13-26-104
- contest, 13-36-101, See **Contest of election**
- counting board, 13-4-101, 13-15-103
- counting of votes, 13-15-202
  - ballot issues, 13-27-503
  - continuous, 13-15-101
  - early counting, no disclosure, 13-15-103
  - federal write-in absentee ballots, 13-13-273, 13-15-202
  - incorrectness presumed when, 13-16-303
  - nonpartisan ballots, 13-14-116
  - poll watchers may be present, 13-13-120, 13-13-121
  - preparation for, 13-15-201
  - primary election, 13-10-311
  - public, 13-15-101
  - rejected ballots may not be included, 13-15-202
  - returns posted at place of counting, 13-15-101
  - when, 13-13-273, 13-15-101, 13-15-103
  - write-in votes, 13-15-202
  - youth voting program, 13-22-104, 13-22-106
- county canvassers, board of
  - certification of results, 13-15-403, 13-15-405, 13-15-501
  - composition, 13-15-401
  - declaration of results, 13-15-405
  - delinquent returns, procedure, 13-15-402
  - inspection of ballots, petition for, 13-15-403, 13-16-420
  - mail ballot elections
    - discrepancies, resolving, 13-19-314
    - signature verification discrepancies, 13-19-310
  - meetings, 13-15-401
  - minutes, 13-15-401
  - procedure, 13-15-301, 13-15-403
  - record, 13-15-404
  - recount by, 13-16-211
    - petition for, 13-15-403, 13-16-201
  - report, 13-15-404
  - secretary, 13-15-401, 13-15-404
  - vacancies, 13-15-401
- declaration of result
  - contest, effect, 13-36-104, 13-36-212
  - county canvassers, by, 13-15-403
  - court, by, 13-36-104, 13-36-212
  - defect in return, effect, 13-15-102

ELECTIONS (Continued)
Canvassing of votes (Continued)
- declaration of result (Continued)
  - destruction or defacing unlawful, 13-35-206
  - falsification, 13-35-207
  - highest votes for declaration, 13-15-405, 13-15-505, 13-36-212
  - public, 13-15-101, 13-15-403, 13-15-505
  - state canvassers, by, 13-15-505
  - suppression unlawful, 13-35-205
  - youth voting program, 13-22-104, 13-22-106
- defect, 13-15-102
- disposition of election materials, 13-1-303, 13-15-301
- folded together ballots, 13-15-201
- inspection of ballots, 13-15-403, 13-16-420
- interference with, 13-35-203
- mail ballot elections, See **Mail ballot elections**
- nonpartisan elections, 13-14-116
- number of electors voting, record, 13-1-204, 13-15-404, 13-15-506
- obstruction, 13-35-203
- pollbook
  - certification, 13-15-204
  - delivery to election administrator, 13-15-205, 13-15-301
  - duplicates for counting board, 13-15-103
  - entries, 13-15-202
  - reconciliation with ballots, 13-10-311, 13-15-201
  - signing, 13-15-204
- poll watchers, 13-13-120, 13-13-121
- presidential elections, 13-25-103
- primary election, applicability of laws, 13-10-301, 13-10-311
- proclamation of result on ballot issues, 13-15-507
- public, 13-15-101, 13-15-403, 13-15-505
- reconciliation of ballots with pollbooks, 13-10-311, 13-15-201
- recounts, See **Recounts**
- rejection of ballots
  - count, may not be included, 13-15-202
  - folded together, 13-15-201
  - marking of ballots, 13-15-203
  - nonessentials to be disregarded, 13-15-403
- removal of ballots before counting unlawful, 13-35-206
- return of election materials to election administrator, 13-15-205
- returns, 13-15-101
  - defect, 13-15-102, 13-15-403
  - delinquent, 13-15-402, 13-15-503
  - destruction or injury, 13-35-206
  - nonpartisan elections, 13-14-116
  - posting, 13-15-101
  - presidential elections, 13-25-103
  - tampering with, 13-35-205
- sealing of election materials, 13-15-205, 13-16-420
- stamp on ballot, missing, 13-15-201
- state canvassers, board of
  - allocation, 2-15-412
  - certification by, 13-15-505, 13-15-507
  - composition, 13-15-502
  - county abandonment and consolidation elections, 7-2-2712
  - county canvassers, certification from, 13-15-501
  - creation, 2-15-412
  - delinquent returns, procedure, 13-15-503

ELECTIONS (Continued)
Canvassing of votes (Continued)
  state canvassers, board of (Continued)
    expenses, 13-16-205
    meetings, 13-15-502, 13-15-505
    minutes, 13-15-502
    procedure, 13-15-505
    public meetings, 13-15-505
    record, 13-15-502, 13-15-506
    recounts by, 13-16-205, 13-16-419
    report, 13-15-506, 13-15-507
    secretary, 13-15-502, 13-15-506
    write-in votes, 13-15-505, 13-15-506
  tally sheets, 13-15-202, 13-15-205, 13-15-301, 13-15-403
    primary elections, 13-10-311
  tampering with ballots, 13-35-205
  tie votes, See **Tie votes**
  voiding election, 13-35-107
  voting machines, precincts where used, 13-15-103
    paper ballots, 13-15-202, 13-17-305
  winner, 13-1-103, 13-15-405, 13-15-507; Const., IV, 5
  write-in votes, 13-15-202, 13-15-403, 13-15-404, 13-15-505, 13-15-506
Cemetery districts, creation, See **CEMETERY DISTRICTS, Creation**
Central committees, See **Political parties**
Certifications, See **Canvassing of votes**
Challenges
  ballot issues
    fiscal statement, 13-27-316
    petition signatures, 13-27-306
    statements of implication or purpose, 13-27-316
  handicapped voter, 13-13-118
  registration of voters, See **Registration of voters**
  right to vote
    affidavit, by, 13-2-404
    determination, 13-13-307, 13-13-309, 13-13-310
    examination of voter, 13-13-304
    grounds, 13-13-301, 13-13-310
    handicapped voter, of, 13-13-118
    list of challenges, 13-13-310, 13-15-205
    oath of challenged voter, 13-13-304, 13-13-306, 13-13-307
    on election day, 13-13-301
    orally, 13-13-301
    prior to election day, 13-2-404
    vote of challenged voter, 13-13-309, 13-13-311
    witnesses, 13-13-305
Charter form of government, See **CHARTER FORM OF GOVERNMENT**
Chief election officer, 13-1-201, See **SECRETARY OF STATE**
Churches, improper influence of voters, 13-35-218
Cities and towns, See **AIR QUALITY, Smoke abatement program; CITIES AND TOWNS; CITY FINANCE; CITY OFFICERS; CITY OR TOWN COUNCILS; MUNICIPAL COMMISSION GOVERNMENT; MUNICIPAL COMMISSION-MANAGER GOVERNMENT**
City central committees, See **Political parties**
City-county consolidated governments, See **CITY-COUNTY CONSOLIDATION, OPTION TWO**
City-county officers and employees, political activity, 7-3-1254
City court judges, See **Judicial candidates**
City officers and employees, political activity, 7-3-1254, 7-3-4256, 7-3-4265

ELECTIONS (Continued)

Clergy, improper influence of voters, 13-35-218
Code of Fair Campaign Practices, Title 13, chapter 35, part 3, See **Campaign practices**
Commission-chairman form of government, 7-3-501, 7-3-512, 7-3-513, 7-3-516
Commissioner of political practices, See **Political practices, commissioner of**
Commission-executive form of government, 7-3-217 — 7-3-219, 7-3-223
Commission form of government, See **COMMISSION FORM OF GOVERNMENT**
Commission-manager form of government, 7-3-313 — 7-3-315, 7-3-317
Commissions to elected individuals, 13-15-504, 13-37-127, 20-1-202
  defect, 13-15-102
  incumbents, 2-15-401
  seal, 2-15-401
Committees, See **Political parties**
Community college district organization and trustees, See **SCHOOL ELECTIONS**
Congressional districts, apportionment, Const., V, 14; Title 5, chapter 1, See **Electoral districts; REAPPORTIONMENT COMMISSION**, generally
Congressional elections
  applicability of laws, 13-25-103, 13-25-201
  ballot arrangement, 13-12-207
  campaign finance reports, 13-37-225
  certification of election, 13-15-501, 13-25-204
  date, 13-1-104
  declaration for nomination, filing, 13-10-201
  general election, date, 13-1-104
  nominations, 13-10-201, 13-25-201, 13-25-205
  political (action) committees
    contributions limited, 13-37-218
    naming and labeling, 13-37-210
  recounts, specific provisions, 13-16-201, 13-16-418, See also **Recounts**
  special election, 13-16-502, 13-25-205
  tie vote, 13-16-502
  vacancies, elections to fill
    representatives, 13-25-203, 13-25-205
    senators, 13-25-202, 13-25-205
    special election, 13-10-505, 13-25-205
  when, 13-25-201
Conservancy districts, See **WATER CONSERVANCY DISTRICTS**
Conservation districts, within, Title 76, chapter 15, See **CONSERVATION DISTRICTS**
Consolidated governments, See **CITY-COUNTY CONSOLIDATION, OPTION TWO**
Constitutional amendments, See **CONSTITUTION OF MONTANA; CONSTITUTION OF THE UNITED STATES**
Constitutional conventions, votes upon, See **BALLOT ISSUES**, generally; **CONSTITUTION OF MONTANA; CONSTITUTION OF THE UNITED STATES**
Construction of laws, 13-1-201
Contest of election
  advancement on calendar, 13-36-206, 13-36-208
  answer, 13-36-206
  attorney's fees, 13-36-204, 13-36-205, 13-36-207
  "ballot issue" defined, 13-1-101
  bond, 13-36-204, 13-36-205
  calendar precedence, 13-36-206, 13-36-208
  "candidate" defined, 13-1-101
  commencement, 13-36-102, 13-37-124
  continuance, 13-36-208
  costs, 13-36-204, 13-36-205, 13-36-207, 13-36-208, 13-37-124
  declaration of result, 13-36-212

ELECTIONS (Continued)
Contest of election (Continued)
- dismissal, 13-36-208
- effect, 13-36-209 — 13-36-212
- election materials, preservation pending, 13-1-303
- evidence, 13-36-202, 13-36-207, 13-36-208, 13-37-125
- forfeiture of office when, 13-36-209 — 13-36-211
- good faith, effect of case not arising from, 13-36-209
- grounds, 13-36-101, 13-36-211, 13-37-130
- illegal votes, allegations and evidence, 13-36-101, 13-36-202, 13-36-211, 13-36-212
- immunity from prosecution
  - candidate, 13-36-210
  - witnesses, 13-36-208
- investigation, 13-37-111, 13-37-125
- issues, 13-36-207
- joinder, 13-36-207
- judgment, 13-36-104, 13-36-205, 13-36-207, 13-36-209, 13-36-210
- jurisdiction, 13-36-102, 13-36-103, 13-37-113
- jury, 13-36-207
- laws furnished to election administrator, 13-37-117
- nomination, special provisions, 13-36-104
- notice, 13-36-102, 13-36-206, 13-37-124
- parties, 13-36-207
- petition or complaint
  - contents, 13-36-201
  - filing, 13-36-206
  - form, 13-36-203
  - verification, 13-36-203
- postponement, 13-36-208
- prosecution, 13-37-113, 13-37-124
- punishment, 13-36-210
- result, 13-36-209 — 13-36-212
- security, 13-36-204, 13-36-205
- statute of limitation, 13-36-102
- testimony, 13-36-202, 13-36-208
- time, 13-36-102
- vacancies resulting from, 13-36-207, 13-36-210
- venue, 13-36-103, 13-37-113
- witnesses, 13-36-208, 13-37-125

Contributions, See **Campaign finance**
Conventions, See **Political parties; CONSTITUTION OF MONTANA; CONSTITUTION OF THE UNITED STATES**
Costs, See **Fees and costs**
Counting of votes, See **Canvassing of votes**
County, See **AIR QUALITY, Smoke abatement program; COUNTIES; COUNTY COMMISSIONERS, BOARD OF; COUNTY FINANCE; COUNTY OFFICERS**
County attorney, duties, See **COUNTY ATTORNEY**
County Canvassers, Board of, See **Canvassing of votes**
County central committees, See **Political parties**
County clerk and recorder as election administrator, 13-1-301, See **ELECTION ADMINISTRATOR**
County election administrator, 13-1-301, See **ELECTION ADMINISTRATOR**
County Recount Board, See **Recounts**
County water and/or sewer districts, Title 7, chapter 13, parts 22 and 23, See **SEWAGE DISPOSAL AND SEWER SYSTEMS**
Crimes and prohibited acts
- accountability, 13-35-105

ELECTIONS (Continued)
Crimes and prohibited acts (Continued)

- aiding and abetting, 13-35-105
- applicability of laws, 13-17-106, 13-35-101, 13-35-102
- arrest exemptions, 13-1-115, 46-6-102; Const., IV, 6
- attempt, 13-35-104
- ballot
  - destruction or removal, 13-35-206
  - falsification, 13-35-207
  - revealing contents, 13-13-311, 13-35-201, 13-35-202
  - tampering with, 13-35-205
- ballot issues
  - falsification of petition, 13-27-106, 13-35-207
  - solicitation of signatures at polling place, 13-35-218, 13-35-233
  - warnings on petitions, 13-27-204 — 13-27-207
- bribery, 13-35-102, 13-35-214, 13-35-215, 13-35-220, 45-7-101
- campaigning
  - advertising not to be anonymous, 13-35-225
  - corporate contributions, 13-35-227, 13-35-228, 33-18-305
  - election day, on, 13-35-211, 13-35-233
  - financial violations, 13-35-106, 13-37-130, 33-18-305
  - insurer's contributions, 33-18-305
  - telephone solicitation, automated — unlawful when, 45-8-216
- candidate charged with felony offense, 13-10-211
- contests of results, violation as grounds, 13-36-101
- conviction, effect, 13-35-106; Const., IV, 4
- corporate contributions, 13-35-227, 13-35-228, 33-18-305
- criminal code not superseded, 13-35-101
- deceptive practices, 13-35-207, 13-35-208
- defamation, 13-27-408, 13-27-409, 13-35-234
- destruction of election equipment, supplies, or records, 13-35-206
- effect on election, 13-35-107
- electioneering on election day, 13-35-211, 13-35-233
- employers, coercion or influence of employees, 7-3-4256, 13-35-226, 13-35-228
- exit polling, 13-35-211, 13-35-218
- falsification, 13-27-106, 13-35-207
- fines, 13-35-226, 13-35-233
- handicapped voters, deception, 13-35-208
- impersonations, 13-35-207, 13-35-209, 13-35-210
- influencing electors improperly, 7-3-4256, 7-3-4265, 13-35-102, 13-35-214, 13-35-215, 13-35-217, 13-35-218, 13-35-226, 13-35-235, 45-7-101, 45-7-102
- influencing political officers improperly, 13-35-220
- injunction, 13-35-108
- injury to election equipment, supplies, and records, 13-35-206
- insurer's contributions, 33-18-305
- investigation, 13-37-111
- judges and officials of election
  - interference with, 13-35-203
  - misconduct by, 13-13-311, 13-35-202, 13-35-204, 13-35-217
- judicial candidates, partisan support, 13-35-231
- jurisdiction of district court, 13-35-108, 13-37-113
- laws, distribution to
  - election administrators, 13-37-117
  - voters, 13-13-113
- mail ballot elections, applicability of general election laws, 13-19-103
- misdemeanor when no penalty specified, 13-35-103
- Montana conservation corps personnel contributions, 23-1-314

ELECTIONS (Continued)
Crimes and prohibited acts (Continued)

- nominations
  - certificate or declaration
    - destruction or defacing, 13-35-206
    - falsification, 13-35-207
    - suppression, 13-35-205
  - improper, 13-35-221
  - influence to obtain, improper, 13-35-220, 13-35-221
- nurses' collective bargaining funds, campaign contributions prohibited, 39-32-109
- obstruction of polling place, 13-13-122, 13-35-218
- obstruction of voters' meetings, 13-35-213
- payment for vote, 7-3-4265, 13-35-215
- penalties
  - criminal code not superseded, 13-35-101
  - mail ballot elections, applicability of general election laws, 13-19-103
  - none specified, when, 13-35-103
  - supplemental, 13-35-106
- political position of candidate, misrepresentation, 13-35-234
- procedures information, dissemination of incorrect or misleading, 13-35-235
- public meetings, disturbance, 13-35-213
- public officers and employees, political activity, 7-3-1254, 7-3-4256, 7-3-4265, 13-35-226
- records, tampering with, 13-35-205, 13-35-206
- registration
  - falsification, 13-35-207, 13-35-209
  - lists, tampering with, 13-35-205
- returns
  - destruction or removal, 13-35-206
  - falsification, 13-35-207
  - tampering with, 13-35-205
- right to vote, abuse, 13-35-209, 13-35-210; Const., IV, 3
- scope of laws, 13-35-101
- secret ballot, violation of secrecy, 13-35-201, 13-35-202
- solicitation of voters, 13-35-218, 13-35-233
- statutes of limitations, 13-35-101, 13-35-107
- tampering with records, information, and equipment, 13-35-205
  - ballot issues, petition, 13-27-106
- threats and other improper influence, 13-35-213, 13-35-218, 13-35-226, 45-7-102
- trivial benefits not criminalized, 13-35-102
- voiding of election due to, 13-35-107
- voting machines
  - applicability of laws, 13-17-106
  - destruction or injury, 13-35-206
  - tampering with, 13-35-205, 13-35-206
- voting records, misrepresentation, 13-35-234
- voting rights, abuse, 13-35-209, 13-35-210; Const., IV, 3
- warnings, display at polling places, 13-13-113

Criminal conviction of elector, See **Electors**
Dates
- general elections, 13-1-104
- primary elections, 13-1-104, 13-1-107
- special elections, 13-1-108

Death, effect on elections
- campaign treasurer, 13-37-204
- candidate, 13-10-211, 13-10-326, 13-10-327, 13-38-101, 13-38-204
  - governor or lieutenant governor, 13-10-328

ELECTIONS (Continued)
Death, effect on elections (Continued)

- elector, 13-2-402
  - absentee elector, 13-13-204, 13-13-243
- impersonation of voter, 13-35-210

Defamation, See **Campaign practices**
Definitions

- accessible, 13-3-202
- accessible polling place, 13-3-207
- anything of value, 13-1-101
- associated with a political party, 13-10-507
- attorney general's explanatory statement, 13-27-315
- ballot issue, 13-1-101
- candidate, 13-1-101
- contribution, 13-1-101
- elderly, 13-3-202
- election, 13-1-101, 13-3-202
- election administrator, 13-1-101
- election day, 13-19-102
- election precinct, 13-3-101
- elector, 13-1-101
- elector in the united states service, 13-2-211
- expenditure, 13-1-101
- general election, 13-1-101
- handicapped, 13-3-202
- inaccessible polling place, 13-3-207
- independent committee, 13-37-216, 13-37-226
- individual, 13-1-101
- issue, 13-1-101
- mail ballot election, 13-19-102
- people, as a political body, 1-1-401
- person, 13-1-101
- political committee, 13-1-101
- political subdivision, 13-1-101
- precinct, 13-3-101
- primary election, 13-1-101
- public office, 13-1-101
- registrar, 13-1-101
- return/verification envelope, 13-19-102
- rural polling place, 13-3-207
- secrecy envelope, 13-19-102
- special election, 13-1-101
- technically inaccessible but usable polling place, 13-3-207
- total vote cast, 13-16-202
- voting machine or device, 13-1-101, 13-17-305

Democrats, See **Political parties**
Depositories, 13-37-205
Disabled voters, See **Handicapped voters**; **Polling places**, accessibility to handicapped and elderly voters
Disputed results, See **Contest of election**
District court judges, See **Judicial candidates**
Districts, See **Electoral districts**
Drainage districts, See **DRAINAGE DISTRICTS, Elections**
Elderly voters, accessibility to polling places, See **Polling places**
Election administrator, See **ELECTION ADMINISTRATOR**
Election judges or officers, See **Judges of elections**
Election officer, chief, 13-1-201, See **SECRETARY OF STATE**

ELECTIONS (Continued)

Electoral college, See **Presidential elections**
Electoral districts
- apportionment, Const., V, 14; Title 5, chapter 1, See **REAPPORTIONMENT COMMISSION**, generally
- ballot issues, allocation of petition signatures following filing of reapportionment plan, 13-27-303
- list to secretary of state, 13-1-204
- precinct boundary changes, 13-3-102, 13-3-103

Electors
- absentee election board, appointment to, 13-13-226
- age, 13-1-111, 13-1-114; Const., IV, 2
- arrest exemptions, 13-1-115, 46-6-102; Const., IV, 6
- assistance to handicapped or illiterate voter, See **Handicapped voters**
- ballot issues
  - number required, 13-27-204 — 13-27-207; Const., III, 7
  - petition, must be qualified elector to sign, 13-27-102
  - voter information pamphlets, See **BALLOT ISSUES**
- bribery, See **Crimes and prohibited acts**
- campaign treasurer must be, 13-37-203
- challenges, See **Challenges**
- cities, general provisions, See **CITIES AND TOWNS**, **Elections**
- citizenship, 13-1-111, 13-2-206; Const., IV, 2
- convicted offenders, 13-1-111, 13-1-112, 13-2-402, 13-13-301, 46-18-801; Const., IV, 2
- death, 13-2-402, 13-13-204, 13-13-243
- deception unlawful, 13-35-208
- defined, 13-1-101
- disabled, See **Handicapped voters**
- exit polling, 13-35-211, 13-35-218
- firefighters, qualification for employment, 7-33-4107
- handicapped, See **Handicapped voters**
- illiterate, 13-13-119, 13-13-229
- initiative petition signatures, gathering at polling place, 13-13-122, 13-35-211, 13-35-218
- judges of elections, as, 13-4-102
- jurors to be chosen from, 3-15-301, 3-15-402
- lists, public availability, 13-2-122
- mail ballot elections, See **Mail ballot elections**, generally
- mailing labels, public availability, 13-2-122
- meetings of, obstruction unlawful, 13-35-213
- mental illness, 13-1-111, 13-2-402, 13-13-301; Const., IV, 2
- military personnel, See **Military personnel**
- name change, 13-2-511, 13-2-512
- new voter lists to political parties, 13-38-103
  - mailing list provision, nonapplicability, 2-6-109
- number voting, record, 13-1-204, 13-15-404, 13-15-506
- office, eligibility for, 49-1-202; Const., IV, 4
- party committeeman, as, 13-38-201
- "people, as a political body" defined, 1-1-401
- procedures information, incorrect or misleading — dissemination to, 13-35-235
- public meetings of, obstruction unlawful, 13-35-213
- qualifications
  - age, 13-1-111, 13-1-114; Const., IV, 2
  - challenge, See **Challenges**
  - citizenship, 13-1-111, 13-2-206; Const., IV, 2
  - convicted offenders, 13-1-111, 46-18-801; Const., IV, 2
  - mental capacity, 13-1-111; Const., IV, 2

ELECTIONS (Continued)
Electors (Continued)
  qualifications (Continued)
    municipal indebtedness, voting on, 7-7-4103
    registration, 13-1-111; Const., IV, 2, See **Registration of voters**
    residence, 13-1-111; Const., IV, 2
  register of, See **Precinct register**
  registration, 13-1-111; Const., IV, 2, See **Registration of voters**
  residence, 13-1-111; Const., IV, 2
    challenge, 13-2-403, 13-13-301, 13-13-304, 13-13-306
    change, 13-1-112, 13-2-511, 13-2-512, 13-2-514
    determination, rules, 13-1-112, 13-1-114; Const., IV, 3
    future residence, registration based on, 13-2-205
    registration in county of, 13-2-203
    single residence, 13-1-113
    time, computation, 13-1-114
  rights and duties of voters, 49-1-203; Const., II, 13
  solicitation
    initiative petition signatures at polling place, 13-13-122, 13-35-211, 13-35-218
    unlawful, 13-35-218, 13-35-233
  threats and other improper influence on, See **Crimes and prohibited acts**
  voter information pamphlets, See **BALLOT ISSUES**
  youth voting program, Title 13, chapter 22
Endorsement of candidates, See **Campaign practices**
Erroneous results, See **Contest of election**
Expenditures, See **Campaign finance**
Facsimile, absentee voter registration and voting by, 13-13-212, 13-13-276 — 13-13-279
Federal office, elections for, See **Congressional elections**; **Presidential elections**
Federal write-in absentee ballots, 13-2-212, 13-13-271 — 13-13-273, 13-15-202
Fees and costs
  annual elections, 13-1-302
  commissioner of political practices, copies of information filed with, 13-37-119
  election administrators' expenses, 13-1-203, 13-1-302, 13-2-117
  electors, lists, 13-2-122
  filing, See also **Primary elections and nominations**
    nomination without primary election, 13-10-503
    nonpartisan primary election, 13-14-112
    write-in election, general election — individual elected by, 13-15-111
  general election, 13-1-302
  mailing labels, 13-2-122
  nomination without primary election, filing fee, 13-10-503
  nonpartisan primary election, filing fee, 13-14-112
  paper ballots, 13-17-305
  precinct register copies, 13-2-122
  primary election, 13-1-107, 13-1-302
    filing fees, See **Primary elections and nominations**
  recounts, 13-16-205, 13-16-211, 13-16-307
  special elections, 13-1-302
Finances, See **Campaign finance**
Forms generally, 13-1-202
Free and open, Const., II, 13
Funding, See **Campaign finance**; **Fees and costs**
General election, See also this main category generally
  ballot issues, vote in, Const., III, 6
  cost, 13-1-302
  date, 13-1-104
  defined, 13-1-101
  facsimile transmissions, acts taken by, 13-13-277

ELECTIONS (Continued)
General election (Continued)

  mail ballot elections, applicability of laws, 13-19-103, See also **Mail ballot elections**
Gifts, See **Campaign finance**
Handicapped voters
  absentee voting, 13-3-213, 13-13-201, 13-13-211, 13-13-222
  accessibility to polling places, See **Polling places**
  challenge of right to vote, 13-13-118
  deception of, unlawful, 13-35-208
  marking ballot, assistance, 13-13-118, 13-13-119, 13-13-229
  precinct register, assistance in signing, 13-13-114
  taking ballot to voter on premises, 13-3-213, 13-13-118
Health emergency, absentee voting, See **Illness or health emergency, absentee voting**
Holiday, election days as, 1-1-216, 20-1-305
Hospital districts, See **HOSPITAL DISTRICTS**
Housing authorities, municipal — creation, approval, 7-15-4408
Illegal votes, See **Contest of election**
Illness or health emergency, absentee voting
  application for ballot, 13-13-211 — 13-13-213, 13-13-232
  assistance in marking ballot, 13-13-229
  availability of ballots, 13-13-222
  delivery of ballot to voter, 13-13-212, 13-13-229
  funding of program, 13-13-230
  late receipt of ballot, 13-13-232
  pollbooks, entries, 13-13-234
  qualifications, 13-13-201, 13-13-222
  registration card, comparison of signatures, 13-13-213
  rejected ballots, 13-13-232
    not allowed when, 13-13-229
  request for ballot, 13-13-211, 13-13-229, 13-13-232
  return of voted ballot, 13-13-221, 13-13-232
  voting procedures, 13-13-229
Independent candidates, See **Candidates**
Indigent candidates, See **Primary elections and nominations**
Influencing electors improperly, See **Crimes and prohibited acts**
Initiatives, See **BALLOT ISSUES**
Injunctions when, 13-35-108
  ballot preparation, upon, 13-35-221
Instructions generally, 13-1-202, See **Absentee voting**; **Voting machines or devices**; **Voting procedure**
Irrigation districts, See **IRRIGATION DISTRICTS**
Issues, 13-1-101, See **BALLOT ISSUES**
Judges of elections
  absentee election board, delivery of ballot, 13-13-229
  absentee voting
    ballot box, deposit of ballot in, 13-13-241
    by, 13-13-201
    certificate of absentee voting information to, 13-13-233, 13-13-234
    death of voter, duties, 13-13-243
    delivery of ballots to, 13-13-232
    examination of ballot by, 13-13-241
    list of absentee voters, posting in polling place, 13-13-233
    opening of ballots by, 13-13-241
    pollbook entries by, 13-13-234
    records by, 13-13-234

ELECTIONS (Continued)
Judges of elections (Continued)
- absentee voting (Continued)
  - rejected ballots
    - affirmation insufficient, rejection by, 13-13-241
    - disposition by, 13-13-243
    - initialing by, 13-13-241, 13-13-243
    - revote in person, initialing of ballot, 13-13-243
- appointment, 13-4-101, 13-4-102
  - emergency, 13-4-207
  - notice, 13-4-104
- canvassing of votes
  - counting by, 13-15-101, 13-15-202
    - counting board, 13-15-103
    - early counting, disclosure prohibited, 13-15-103
    - incorrectness presumed, 13-16-303
    - marshal of counting board, 13-15-103
    - preparation for, 13-15-201
  - disposition of election materials, 13-1-303, 13-15-205
  - folded together ballots, disposition, 13-15-201
  - oaths, 13-15-301, 13-15-403
  - pollbook
    - certification, 13-15-204
    - delivery to election administrator, 13-15-205, 13-15-301
    - duplicates for counting board, 13-15-103
    - entries by, 13-15-202
    - reconciliation with ballots, 13-10-311, 13-15-201
    - signing, 13-15-204
  - reconciliation of ballots with pollbook, 13-10-311, 13-15-201
  - recount, presumption of incorrectness, 13-16-303
  - rejection of ballots by, 13-15-201, 13-15-203, 13-15-403
  - return of election materials by, 13-1-303, 13-15-205
  - returns
    - delinquent, notice to, 13-15-402
    - delivery, 13-15-205
    - posting by, 13-15-101
    - preparation, 13-15-101
  - sealing of election materials, 13-15-205
  - stamp on ballot, missing, 13-15-201
  - tally sheets, preparation and disposition, 13-15-202, 13-15-205
  - write-in votes, 13-15-202
- challenges of electors
  - affidavit, copy to, 13-2-404
  - authority, 13-13-305
  - determination by, 13-2-402, 13-13-305, 13-13-307, 13-13-310
  - duties, 13-13-304
  - examination of voter by, 13-13-304
  - list of challenges kept by, 13-13-310
  - oath of challenged voter, administering, 13-13-304, 13-13-306
  - pollbook entries by, 13-13-311
  - record, 13-13-310, 13-13-311
  - witnesses, production required by, 13-13-305
- chief judge
  - absentee voting certificates to, 13-13-233
  - authority, 13-4-201
  - designation, 13-4-101, 13-4-207
  - duties, 13-4-201
  - excuse from polling place, 13-4-207

ELECTIONS (Continued)
Judges of elections (Continued)
- chief judge (Continued)
    - labels for filled vacancies, delivery to, 13-12-204
    - returns, notice when delinquent, 13-15-402
    - supplies
        - delivery to, 13-12-102, 13-12-204
        - disposition by, 13-15-205
    - training sessions, 13-4-203
    - travel expenses, 13-4-106
    - voting machines, training in, 13-17-201
- compensation, 13-4-106
- counting boards, 13-4-101, 13-15-103
- duties generally, 13-4-201
- emergencies, excuse from polling place, 13-4-207
- excuse from polling place, 13-4-207
- illness, 13-4-207
- instruction session, 13-4-104, 13-4-106, 13-4-203
- lists selected from, 13-4-102
- mail ballot elections
    - canvassing of votes, 13-19-312, 13-19-314
    - discrepancies, resolving, 13-19-314
    - log of electors' names and people who deliver ballots, 13-19-308
    - official register, 13-19-309
    - qualification of ballots, 13-19-106
    - return/verification envelopes
        - deposit in transport box, 13-19-308
        - opening, 13-19-301, 13-19-309
    - secrecy envelopes
        - deposit in ballot box, 13-19-301, 13-19-308, 13-19-309
        - opening, 13-19-312
    - signature verification, 13-19-308, 13-19-309
    - validity of ballot, 13-19-308, 13-19-309
- meeting time, 13-13-101
- notice of
    - appointment, 13-4-104
    - training sessions, 13-4-203
- number, 13-4-101
- oaths, 13-4-105, 13-4-202, 13-13-101, 13-15-301, 13-15-403
- obstructions, prevention, 13-13-122, 13-35-218
- other boards, 13-4-101
- party representation, 13-4-102
- pollbook, ballot stub numbers — entry when, 13-13-115
- polling places
    - poll watchers, permission by, 13-13-120
    - preparation by, 13-13-101
    - proclamation of opening or closing, 13-13-101
- precinct register
    - ballot stub numbers, entry when, 13-13-115
    - certificate of omission, duties, 13-2-603
- primary elections, duties, 13-10-301, 13-10-311
- qualifications, 13-4-102, 13-4-107
- recounts, presumption of incorrectness, 13-16-303
- residence of elector, noting of change, 13-2-514
- term of office, 13-4-103
- training sessions, 13-4-102, 13-4-104, 13-4-106, 13-4-203
- travel expenses, 13-4-106
- unemployment insurance coverage, exemption, 13-4-106

ELECTIONS (Continued)
Judges of elections (Continued)

- united states service, electors just discharged from — presentment of certificate of registration, 13-2-515
- vacancies, 13-4-102, 13-4-203
- voting machines or devices
  - abuse, control, 13-13-111, 13-17-301
  - arrangement at polling place to be in view of, 13-17-301
  - ballots, paper — to voter on request, 13-17-305
  - certification of instruction, 13-17-201
  - counting of votes, 13-17-305
  - instructions for, 13-4-203, 13-17-103, 13-17-201
  - paper ballots, provision on request, 13-17-305
  - placement in polling place to be in view of, 13-17-301
  - remaining too long within, authority to eject voter, 13-13-111, 13-17-301
- voting procedures generally
  - ballot
    - absentee election board, delivery by, 13-13-229
    - deposit in ballot box by, 13-13-117, 13-35-202
    - given to voter by, 13-35-201
    - handed to, 13-13-117, 13-35-201
    - secrecy of, violation by, 13-35-202
    - stamping, 13-13-116, 13-35-202
  - ballot box, deposit of ballot in, 13-13-117, 13-35-202
  - booths, authority over use, 13-13-111
  - disabled elector, assistance to, 13-13-114, 13-13-118, 13-13-119
  - illiterate elector, assistance to, 13-13-119
  - names of electors, announcement, 13-13-120
  - poll watchers, permission to, 13-13-121
  - precinct register, assistance to electors and enforcement, 13-13-114, 13-13-119
  - stamping of ballot, 13-13-116
  - voting machines, authority over use, 13-13-111
  - write-in candidates and votes, 13-10-211, 13-15-202

Judicial candidates, See also **Nonpartisan elections**
- applicability of laws, 13-14-111
- appointment, election subsequent to, 3-1-1013, 3-1-1014
- ballot when incumbent unopposed, 13-14-212, 13-14-213; Const., VII, 8
- city court judges, 3-1-1503, 7-2-4107, 7-3-1342, 7-3-4462, 7-4-4101 — 7-4-4103, 13-15-405
- clerk of the district court, See **CLERK OF THE DISTRICT COURT**
- clerk of the supreme court, 3-2-401, 13-12-207
- district court judges
  - ballot arrangement, 13-12-207, 13-14-212, 13-14-213; Const., VII, 8
  - campaign contribution limitations, 13-37-216
  - campaign finance reports, filing, 13-37-226
  - certification of vote, 13-15-501
  - date, 13-1-104
  - declaration for nomination, where filed, 13-10-201
  - general election, date, 13-1-104
  - judicial districts enumerated, 3-5-101
  - judicial nomination commission, term of office when elected by, 3-1-1014
  - municipal court judges, applicability of provisions, 3-6-201
  - number of judges, 3-5-102
  - qualifications, 3-5-202; Const., VII, 9
  - recounts, 13-16-201, 13-16-418, See also **Recounts**
  - required, 3-5-201
  - residence, 3-5-202; Const., VII, 9

ELECTIONS (Continued)
Judicial candidates (Continued)
  district court judges (Continued)
    resignation required upon candidacy for nonjudicial office, 3-1-607, 3-1-608; Const., VII, 9; VII, 10
    retention when unopposed, 13-14-212, 13-14-213; Const., VII, 8
    term of office, 3-1-1014, 3-5-203, 3-5-204; Const., VII, 7
    tie vote, 13-16-503
  incumbent, 3-1-1014, 13-14-212, 13-14-213; Const., VII, 8
  justices of the peace, 3-10-201, 3-10-202, 7-4-2203, 13-15-405; Const., VII, 5; VII, 7
    ballot arrangement, 13-12-207, 13-14-212
    residence, 3-10-204; Const., VII, 9
  municipal court judges, 3-1-1503, 3-6-201, 3-6-202, 13-15-405; Const., VII, 7
  nonpartisan, 3-10-201, 7-3-1342, 7-3-4462, 13-14-111, See **Nonpartisan elections**
  political party endorsement prohibited, 3-10-201, 13-35-231
  recounts, 13-16-201, 13-16-418, See also **Recounts**
  resignation from current office required when, 3-1-607, 3-1-608; Const., VII, 9; VII, 10
  retention when unopposed, 13-14-212, 13-14-213; Const., VII, 8
  separate and independent offices, 13-14-211
  supreme court clerk, 3-2-401, 13-12-207
  supreme court justices
    ballot arrangement, 13-12-207, 13-14-212, 13-14-213; Const., VII, 8
    qualifications, 3-2-102; Const., VII, 9
    resignation required upon candidacy for nonjudicial office, 3-1-607
    retention when unopposed, 13-14-212, 13-14-213; Const., VII, 8
    term of office, 3-2-101, 3-2-103; Const., VII, 7
    tie vote, 13-16-503
  tie vote, 13-16-503
  vacancies among nominees prior to general election, 13-14-118
    ballot form, 13-14-213
Jurors to be chosen from electors, 3-15-301, 3-15-402
Justices of the peace, See **Judicial candidates**
"Kids vote", Title 13, chapter 22, See **Youth voting program**
Laws, Const., IV, 3
  applicability, 13-1-201
  construction, 13-1-201
  distribution, 13-12-101
  opinions, 13-1-202
  uniformity, 13-1-201
Legislative districts, See **Electoral districts**; **REAPPORTIONMENT COMMISSION**, generally
Libel, See **Campaign practices**, defamation
Lists of electors, availability, 13-2-122
Local government, See **Political subdivisions, elections of**; **CITIES AND TOWNS**; **COUNTIES**; **LOCAL GOVERNMENT**
Machines, See **Voting machines or devices**
Mail ballot elections
  absentee voting, 13-19-303
  affidavit, 13-19-301, 13-19-309 — 13-19-311
  authorized when, 13-19-104
  ballots
    affidavit, 13-19-301, 13-19-309 — 13-19-311
    canvassing and handling, 13-19-105, 13-19-312
    deposit
      ballot box, 13-19-106, 13-19-301, 13-19-308
      place of, 13-19-106, 13-19-306, 13-19-307
    destroyed ballots, 13-19-305
    distribution to electors, 13-19-206

ELECTIONS (Continued)
Mail ballot elections (Continued)
- ballots (Continued)
  - invalid when, 13-19-311, 13-19-313
  - lost ballots, 13-19-305
  - mailing to electors, 13-19-106, 13-19-206, 13-19-207, 13-19-303
  - marking, 13-19-106
  - preparation, 13-19-106
  - qualification, 13-19-106
  - replacement ballots, 13-19-305, 13-19-313
  - return of voted ballot, 13-19-306
    - by mail, 13-19-106, 13-19-306, 13-19-309
    - disposition, 13-19-308, 13-19-309
    - in person, 13-19-106, 13-19-306, 13-19-308
    - receipt, time, 13-19-306, 13-19-311
  - "return/verification envelope" defined, 13-19-102
  - "secrecy envelope" defined, 13-19-102
  - secrecy of voted ballots, 13-19-105
  - signature verification, 13-19-304, 13-19-308 — 13-19-311, 13-19-313, 13-19-314
  - spoiled ballots, 13-19-305
  - transport boxes, 13-19-307, 13-19-308
  - validity, 13-19-308, 13-19-309, 13-19-314
  - valid when, 13-19-311
  - voted when, 13-19-301
- canvassing of votes, 13-19-105, 13-19-106, 13-19-312, 13-19-314
- conduct generally, 13-19-106
- county water and/or sewer district board of directors, election for, 7-13-2236
- definitions, 13-19-102
- deposit of ballots, place of, 13-19-106, 13-19-306, 13-19-307
- discrepancies, resolving, 13-19-314
- fraud, 13-19-105
- general election laws, applicability, 13-19-103
- hospital districts, additional tax levy, 7-34-2135
- initiation
  - election administrator, by, 13-19-201, 13-19-203
  - governing body, by, 13-19-201
    - request, 13-19-202
- mandatory, not to be, 13-19-104
- materials
  - distribution to electors, 13-19-206
  - form, 13-19-105
  - mailed when, 13-19-207
- nonregistered electors, voting, 13-19-304
- notice to elector
  - procedural mistakes, 13-19-313
  - signature verification, discrepancy, 13-19-310, 13-19-313
- objection to, 13-19-204
- plans, written
  - amendments, 13-19-205
  - approval or disapproval, 13-19-205
  - preparation, 13-19-202, 13-19-203, 13-19-205
  - proportional voting, method for, 13-19-302
  - review, 13-19-105
- procedures, 13-19-105, 13-19-106
- prohibited when, 13-19-104
- proportional voting, 13-19-302
- purpose, 13-19-101
- questions, resolving, 13-19-314

ELECTIONS (Continued)
Mail ballot elections (Continued)

- records, 13-19-305, 13-19-309
- request for, 13-19-202
- rules, 13-19-105
- uniformity, 13-19-105
- violations and penalties, applicability of general election laws, 13-19-103
- voting
  - absentee, 13-19-303
  - ballots, 13-19-301, See also **Mail ballot elections**, ballots
  - close of, procedure, 13-19-312
  - nonregistered electors, 13-19-304
  - proportional, 13-19-302

Mailing labels of electors, availability, 13-2-122
Maps, precincts, 13-1-204, 13-3-103
Military personnel
- absentee voting, See **Registration of voters**, elector in united states service
- discharge, voting when immediately prior to election day, 13-2-215
- registration, See **Registration of voters**, elector in united states service
- residence, 13-1-112

"Motor-voter" registration, 61-5-107
Municipal, See **AIR QUALITY, Smoke abatement program; CITIES AND TOWNS; CITY-COUNTY CONSOLIDATION, OPTION TWO; CITY FINANCE; CITY OFFICERS; CITY OR TOWN COUNCILS; MUNICIPAL COMMISSION GOVERNMENT; MUNICIPAL COMMISSION-MANAGER GOVERNMENT**
Municipal court judges, See **Judicial candidates**
Nomination of candidates
- bribery to influence, 13-35-220
- "candidate" defined, 13-1-101
- certification, See **Nomination of candidates**, declaration of nominee; See also **Canvassing of votes**
- congressional elections, 13-10-201, 13-25-201
  - special election, 13-25-205
- constitutional convention delegates, 13-26-103
- contested, 13-36-101, 13-36-104, See **Contest of election**
- conviction of election law violations, effect, 13-35-106
- declaration of nominee, 13-15-405, 13-15-507, See also **Canvassing of votes**, certification
  - campaign reporting deficiencies, effect, 13-37-127
  - destruction or defacing unlawful, 13-35-206
  - falsification unlawful, 13-35-207
  - suppression unlawful, 13-35-205
- good faith, for want of, 13-35-221, 13-36-209
- improper, 13-35-220, 13-35-221
- independent candidates, petition for nomination
  - applicability of laws, 13-10-505
  - fees, 13-10-503
  - filing, 13-10-503
  - party nomination, effect, 13-10-305
  - political parties, association with — not allowed when, 13-10-507
  - presidential elections, 13-10-504
  - required, 13-10-501
  - signatures, 13-10-502, 13-10-503
  - write-in nomination by political party, effect of acceptance, 13-10-305
- injunction restraining, 13-35-221
- joint filing of governor and lieutenant governor, Const., VI, 2
- minor parties, candidates of — petition for nomination
  - applicability of laws, 13-10-505, 13-10-604

ELECTIONS (Continued)
Nomination of candidates (Continued)
  minor parties, candidates of — petition for nomination (Continued)
    fees, 13-10-503
    filing, 13-10-503
    presidential election, 13-10-504
    required, 13-10-501
    signatures, 13-10-502, 13-10-503
  nonpartisan offices, See **Nonpartisan elections**
  petition for nomination, 13-10-501 — 13-10-505, 13-10-604
  political committee
    defined, 13-1-101
    naming and labeling, 13-37-210
  political party, by, 13-10-601, See **Primary elections and nominations**
  presidential electors, 13-10-601, 13-25-101
  primary election, by, 13-10-601, See **Primary elections and nominations**
  recounts, See **Recounts**
  vacancies, 13-10-325 — 13-10-327, 13-10-505
  winner, 13-1-103, 13-15-405, 13-15-507; Const., IV, 5
  withdrawal, 13-10-325
    improper, 13-35-221
  without primary election, 13-10-501 — 13-10-505, 13-10-604
  write-in candidates, declaration of intent not required when, 13-10-211, 13-15-202
Nonpartisan elections
  applicability of laws, 13-14-111
  ballots
    disposition, 13-14-116
    form, 13-10-209, 13-12-203, 13-14-115
    primary, specific provisions, 13-10-209, 13-14-115
  canvassing of votes, 13-14-116
  city officers and employees, 7-3-4262
  counting votes, 13-14-116
  declaration for nomination, 13-10-201, 13-14-112
    register of candidates, entry in, 13-14-114
  filing fee, 13-14-112
  holding, determination, 13-14-115
  judicial elections, specific provisions, See **Judicial candidates**
  local government, 7-3-219, 7-3-314, 7-3-413, 7-3-513, 7-3-603, 7-3-704
  nomination by more than one party, procedure, 13-10-303
  nomination by primary election
    ballot, 13-10-209, 13-14-115
    declaration for, 13-10-201, 13-14-112, 13-14-114
    election, 13-14-115, 13-14-116
    petition for, 13-10-505, 13-14-113, 13-14-114
    vacancies among nominees, 13-14-118
    winners, 13-14-117
  party names, use prohibited, 13-10-303, 13-10-602, 13-14-115
  petition for nomination, 13-10-505, 13-14-113
    register of candidates, entry in, 13-14-114
  register of candidates, entry, 13-14-114
  transportation board, 7-14-214
  vacancies, 13-14-118
  write-in votes, 13-15-202
Notice
  absentee voting, appointment and procedure of counting board, 13-15-105
  ballot issues, See **BALLOT ISSUES**
  campaign statements and reports, noncompliance, 13-12-201, 13-37-121, 13-37-126
    subsequent compliance, 13-37-127

ELECTIONS (Continued)
Notice (Continued)

- campaign violations, to county attorney, 13-37-124
- cancellation of election, 13-1-304
- canvassing of votes, delinquent returns, 13-15-402, 13-15-503
- contest, 13-36-102, 13-36-206
- county central committee meeting, 13-38-205
- criminal acts, warning notice, 13-13-113
- death of elector, 13-13-243
- judges of elections
  - appointment, 13-4-104
  - training session, 13-4-203
- name of elector, change, 13-2-511
- nomination, 13-10-301
  - party selection when nominated by more than one, 13-10-303
- party committee meetings, 13-38-205
- political subdivisions, elections of, 13-1-401
- polling place, 13-2-207, 13-2-215, 13-3-105
  - warning notice in, 13-13-113
- recounts, See **Recounts**
- registration notices, See **Registration of voters**
- residence of elector, change, 13-2-511
- returns, delinquent, 13-15-402, 13-15-503
- signature verification discrepancy, 13-19-310
- special elections, 13-1-108
- tie votes, drawing to break tie, 13-16-501
- voting machines, instructions on use, 13-17-203
- warning notice, 13-13-113

Offenses, See **Crimes and prohibited acts**
Open elections, Const., II, 13
Opinions, secretary of state, 13-1-202
Parking commissions, required when, 7-14-4642
Parties, See **Political parties**
Penalties, See **Crimes and prohibited acts**
People

- "people, as a political body" defined, 1-1-401
- political power vested in, Const., II, 1; II, 2

Petitions

- initiative, signature gathering at polling place, 13-13-122, 13-35-211, 13-35-218, See also **BALLOT ISSUES**
- nomination, 13-10-501, 13-10-502, 13-10-504
  - nonpartisan candidates, 13-14-113, 13-14-114
  - presidential candidates, 13-10-404, 13-10-405
- nonpartisan candidates, for nomination, 13-14-113, 13-14-114
- presidential elections, for nomination, 13-10-404, 13-10-405

Plurality of votes elects, 13-1-103, 13-15-405, 13-15-507; Const., IV, 5
Political (action) committees

- contributions, limitation, 13-37-218
- defined, 13-1-101
- naming and labeling, 13-37-210

Political parties

- absentee election boards, membership, 13-13-225
- ballot, designation on, 13-12-203
  - primary elections, 13-10-209, 13-10-303
- bribery, 13-35-220, 45-7-101
- campaign contribution limitations, 13-37-216, 13-37-218
- campaign materials, statement of candidate's affiliation or inclusion of symbol, 13-35-225

ELECTIONS (Continued)
Political parties (Continued)

- committee structure
  - city committee, 13-38-202, 13-38-203
  - congressional committee, 13-38-203, 13-38-205
  - county committee
    - appointment, 13-38-203
    - city committee vacancies filled by, 13-38-202
    - composition, 13-38-202
    - county commissioner vacancies, list of candidates, 7-4-2106
    - judges of elections
      - lists of qualified persons submitted by, 13-4-102
      - training sessions, notice to chairman, 13-4-203
    - legislative vacancies, list of candidates, 5-2-403
    - rules, 13-38-105, 13-38-203
    - vacancies, appointments to fill
      - candidates, 13-10-327, 13-38-203, 13-38-204
      - committeemen, 13-38-202 — 13-38-205
  - national committeemen, selection, 13-38-101
  - operation of committees, 13-38-205
  - organization of committees, 13-38-205
  - party representative, committeeman as, 13-38-202
  - precinct committeemen
    - election, 13-38-201
    - term of office, 13-38-202
    - vacancies, 13-38-202
    - write-in candidates, 13-10-211, 13-15-202
  - state committee
    - county committee, appointment of, 13-38-203
    - rules, 13-38-104
    - selection of committeemen, 13-38-203
    - vacancies among candidates, appointments to fill, 13-10-327
  - vacancies
    - candidates, 13-10-327, 13-38-203, 13-38-204
    - city committee, 13-38-202
    - county committee, 13-38-202, 13-38-205
  - women, representation, 13-38-201, 13-38-203, 13-38-205
- congressional vacancies, nominations for special election, 13-25-205
- conventions
  - calling, 13-38-101
  - county convention, 13-38-205
  - delegates, 13-10-407, 13-38-101, 13-38-205
  - national convention, 13-10-407, 13-38-101
  - state convention, 13-38-205
- delegates to conventions, 13-10-407, 13-38-101, 13-38-205
- election materials, statement of candidate's affiliation or inclusion or symbol, 13-35-225
- endorsement of candidates, See **Campaign practices**
- independent candidates, association with — not allowed when, 13-10-507
- judges of election, representation, 13-4-102
- judges or justices ineligible for party office, Const., VII, 9
- judicial candidates, endorsement prohibited, 13-35-231
- minor parties
  - nomination by, 13-10-501, 13-10-604, See **Nomination of candidates**
  - primary election, petition for, 13-10-601
- motor vehicles, division of — to supply new voter lists, 13-38-103
- municipal court judges — office in, prohibited, 3-1-604
- name, use, 13-10-602

ELECTIONS (Continued)
Political parties (Continued)

- new voter lists, 13-38-103
  - mailing list provision, nonapplicability, 2-6-109
- nomination by, 13-10-601, See **Primary elections and nominations**
- nonpartisan candidates may not indicate, 13-14-112, See **Nonpartisan elections**
  - endorsement prohibited, 13-35-231
- officers of party
  - filing fee in primary election not required, 13-10-202
  - judges, ineligible, Const., VII, 9
- offices, 13-38-101
- "party official" defined, 45-2-101
- platform, adoption, 13-38-101
- political (action) committee
  - contribution limitations, inapplicability, 13-37-218
  - naming and labeling, 13-37-210
- poll watchers from, 13-13-120, 13-13-121
- powers generally, 13-38-101
- presidential electors, nomination, 13-10-601, 13-25-101, 13-38-101
- presidential nominating conventions, selection of delegates, 13-10-407
- primary election, 13-10-601, See **Primary elections and nominations**
- rulemaking authority, 13-38-101
  - county rules, filing with election administrator, 13-38-105
  - state rules, filing with secretary of state, 13-38-104
- senate vacancies, selection process for appointees, 5-2-406

Political practices, commissioner of, 13-37-101, See also **PUBLIC OFFICERS OR EMPLOYEES**

- advertising too small for identification and notification of omission, filing with, 13-35-225
- allocation, 2-15-411
- appointment, 2-15-411, 13-37-102, 13-37-104
- attorneys general, special, 13-37-113
- budget, 13-37-112
- candidacy for office prohibited, 13-37-103
- code of fair campaign practices, provision of form, 13-35-302
- confirmation, 13-37-102, 13-37-104
- county attorney, cooperation with, 13-37-111, 13-37-124
- creation, 2-15-411, 13-37-102
- enforcement by, 13-37-111
- extent of authority, 13-37-116
- forms, manuals, and reports — provision, 13-37-117
- funding, 13-37-112, 13-37-120
- impeachment, 13-37-105
- information to be filed with, See **Campaign practices**, statements and information to be filed with commissioner of political practices
- investigative powers, 13-37-111
- lobbying and lobbyist provisions, duties, See **LOBBYING AND LOBBYISTS**
- misconduct, 13-37-102, 13-37-105
- neglect of duty, 13-37-102
- nomination, 13-37-102, 13-37-104
- noncompliance orders, authority to issue, 13-37-115, See **Campaign practices**, statements and information to be filed with commissioner of political practices
- personnel, 13-37-112, 13-37-113, 13-37-120
- political (action) committee
  - contribution limitations, publication, 13-37-218
  - name, filing, 13-37-201, 13-37-210
- prosecution by
  - commencement, 13-37-124

ELECTIONS (Continued)
Political practices, commissioner of (Continued)
  prosecution by (Continued)
    costs, 13-37-124
    county attorney, cooperation with, 13-37-124
    extent of authority, 13-37-113, 13-37-116
    investigative authority, 13-37-111
    jurisdiction, 13-37-113
    staff, 13-37-113
    venue, 13-37-113
  prosecution of, 13-37-105
  reappointment, 13-37-103, 13-37-104
  removal, 13-37-102, 13-37-105
  reports to, See **Campaign practices**, statements and information to be filed with commissioner of political practices
  rulemaking authority, 13-37-114, 13-37-117, 13-37-226, 13-37-227
  salary, 13-37-106
  selection committee, 13-37-102
  staff, 13-37-112, 13-37-113, 13-37-120
  statements filed with, See **Campaign practices**
  term of office, 13-37-103, 13-37-104
  territorial extent, 13-37-116
  treasurer certification, filing with, 13-37-201
  vacancies, 13-37-104
Political subdivisions, elections of
  administration, 13-1-301
  date, 13-1-104, 13-1-107, 13-1-401
  deputy election administrator for, 13-1-301
  expenses, 13-1-107, 13-1-302, 13-1-401
  mail ballot elections, See **Mail ballot elections**
  notice, 13-1-401
  polling place, 13-1-401
  procedure, 13-1-104, 13-1-401
  supervision, 13-1-301
Pollbooks, See **Voting procedure**
Polling places
  absentee voters, list posted, 13-13-233
  accessibility to handicapped and elderly voters
    accessible polling place
      assignment of voter to, 13-2-601, 13-3-213
      designation as, 13-3-207
      resurvey when, 13-3-206
      selection not required when, 13-3-212
      unavailability, procedures, 13-3-212
    assignment of voters to inaccessible polling place, ballot procedures, 13-2-601, 13-3-213, 13-13-211
    ballots, alternative means of casting
      inaccessible polling places, voters assigned to, 13-2-601, 13-3-213, 13-13-211
      rural polling place, designation as — effect, 13-3-207
    classification of polling places, 13-3-105, 13-3-207
    definitions, 13-3-202, 13-3-207
    designation of polling places, 13-3-105, 13-3-207
    emergency exemption, 13-3-204, 13-3-211
    exemptions, 13-3-204, 13-3-207, 13-3-212
      emergency, 13-3-204, 13-3-211

ELECTIONS (Continued)
Polling places (Continued)
- accessibility to handicapped and elderly voters (Continued)
  - inaccessible polling places
    - ballots, alternative means of casting when voter assigned to, 13-2-601, 13-3-207, 13-3-213, 13-13-211
    - designation as, 13-3-207
    - exemption for, when, 13-3-212
  - notice of polling place location, inclusion of accessibility classification, 13-3-105
  - purpose of provisions, 13-3-201
  - rules for, 13-3-203
  - rural polling place
    - designation as, 13-3-207
    - exception for, 13-3-204, 13-3-207
  - standards for
    - adoption, 13-3-205
    - designation of polling places, 13-3-207
    - exemptions from, 13-3-204, 13-3-207, 13-3-212
    - rules, 13-3-203
  - survey of polling places to determine
    - procedures, 13-3-206, 13-3-212
    - temporary polling places, 13-3-211
  - technically inaccessible but usable polling places, designation as, 13-3-207
  - temporary polling places, 13-3-211, 13-3-212
- arrests to prevent obstruction, 13-13-122
- booths, provision and arrangement, 13-13-111
- campaigning at, on election day, 13-35-211
- change, 13-3-105, 13-3-211
- classification for accessibility, 13-3-207
- closing
  - procedure after, See **Canvassing of votes**
  - proclamation, 13-13-101
  - time, 13-1-106, 20-20-106
- designation, 13-3-105, 13-3-207, 13-3-211
- disruption, 13-35-206, 13-35-218
- electioneering at, on election day, 13-35-211
- emergency change, 13-3-105, 13-3-211
- exit polling, 13-35-211, 13-35-218
- hours open, 13-1-106, 13-19-307, 20-20-106
- initiative petitions, signature gathering, 13-13-122, 13-35-211, 13-35-218
- instructions, display, 13-13-112
  - removal or destruction on election day, 13-35-206
- location, 7-7-4103, 13-3-105, 13-3-207, 13-3-211, 13-19-307
  - notice, 13-2-207, 13-2-215, 13-3-105
- mail ballot elections, place of deposit — hours open, 13-19-307
- notice of location, 13-2-207, 13-2-215, 13-3-105
- number, 13-3-104
- obstruction, 13-13-122, 13-35-206, 13-35-218
- opening or closing
  - certification when not open, 13-15-402
  - proclamation, 13-13-101
  - time, 13-1-106, 13-19-307, 20-20-106
- political subdivisions, for elections of, 13-1-401
- pollbooks, See **Voting procedure**
- poll watchers, 13-13-120, 13-13-121
- preparation, 13-13-101
- procedure at, See **Voting procedure**
- proclamation of opening or closing, 13-13-101

ELECTIONS (Continued)
Polling places (Continued)

- public buildings as, 13-3-105
- registration
  - at polling place, Const., IV, 3
  - lists, display, 13-2-115, 13-35-205
- "rural polling place" defined, 13-3-207
- sample ballots, display, 13-13-112, 13-35-206
- school closure for, when, 20-1-305
- solicitation of voters at, 13-35-218
- supplies
  - delivery to, 13-12-102, 13-22-106
  - removal or destruction, 13-35-206
- survey to determine accessibility, 13-3-206, 13-3-211, 13-3-212
- time open, 13-1-106, 13-19-307, 20-20-106
- voter registration at, Const., IV, 3
- voting machines, provision and arrangement, 13-13-111
- voting procedure, See **Voting procedure**
- warning notice, display, 13-13-113
- youth voting program, 13-22-104 — 13-22-106

Popular sovereignty guaranteed, Const., II, 1; II, 2
Precinct register

- action to compel entry of name, 13-2-602
- addendum, 13-2-601, 13-3-213
- combined, 13-2-116
- copies, availability, 13-2-122
- disposition after election, 13-15-205, 13-15-301
- evidence, 13-2-601
- form, 13-2-116
- omission from, 13-2-601 — 13-2-603
- preparation, 13-2-116
- printing, 13-2-116
- signing, 13-2-116, 13-13-114, 13-13-119

Precincts

- boundaries, changes, 13-3-102
  - certification, 13-3-102, 13-3-103
- defined, 13-3-101
- designation, 13-3-101
- laws, copies of election laws to each, 13-12-101
- list by secretary of state, 13-1-204
- maps, 13-1-204, 13-3-103
- number, 13-3-101, 13-3-104
- polling places, 13-3-104, See **Polling places**
- redistricting and reapportionment, effect, 13-3-102
- register, See **Precinct register**
- territorial extent, 13-3-104
- tie vote for precinct office, 13-15-405
- voter information pamphlets available at, 13-27-410
- wards, 13-3-104

Presidential elections

- applicability of laws, 13-25-103
- ballot arrangement, 13-12-202
  - electors' names prohibited, 13-25-101
  - order, 13-12-207
  - rotation, 13-12-205
- campaign finance reports, 13-37-225
- canvassing of votes, 13-15-501, 13-25-103

ELECTIONS (Continued)
Presidential elections (Continued)

- certification of candidates, 13-25-101
- counting of votes, 13-15-501, 13-25-102
- date, 13-1-104
- electoral college, 13-25-104
- electors
  - compensation, 13-25-106
  - election, 13-25-102, 13-25-103
  - filing fee not required, 13-10-202
  - lists of electors, 13-25-103
  - lists of votes by, 13-25-105
  - meeting, 13-25-104
  - nomination, 13-10-601, 13-25-101, 13-38-101
  - number, 13-25-102
  - travel expense, 13-25-106
  - vacancy in office, 13-25-107
  - voting by, 13-25-104, 13-25-105
- general election, date, 13-1-104
- independent candidates, filing petition for nomination, 13-10-504
- lists of votes, 13-25-105
- minor party candidates, filing petition for nomination, 13-10-504
- national convention, selection of delegates, 13-10-407, 13-38-101
- primary, See **Primary elections and nominations**
- returns, 13-25-103
- winner, 13-25-104

Primary elections and nominations
- absentee ballots, disposition of unvoted party ballot, 13-13-214, See also **Absentee voting**
- acknowledgments required when, 13-10-201, 13-10-327
- applicability of laws, 13-10-208, 13-10-301
- appointment of successor candidate, 13-10-326, 13-10-327
- ballots, See also **Ballots**
  - arrangement, 13-10-209, 13-10-303
  - certification, 13-10-208, 13-10-327
  - form, 13-10-209
  - labels for filled vacancies, 13-12-204
  - nonpartisan ballots, 13-10-209, 13-14-115
  - party ballot, 13-10-209
  - presidential preference, 13-10-402, 13-10-403
  - printing, 13-10-208
  - vacancies, labels when filled, 13-12-204
- cancellation, 13-1-304, 13-10-209
- certification of candidates, 13-10-208, 13-10-209
  - successor candidates, 13-10-327
- conservation district supervisor nominating election, in conjunction with, 76-15-302
- counting ballots, 13-10-301, 13-10-311
  - tie vote, 13-16-501
- date, 13-1-104, 13-1-107
  - presidential, 13-10-401
- death of candidate, 13-10-326, 13-10-327
  - governor or lieutenant governor, 13-10-328
- declaration for nomination, 13-10-201, 13-10-303, 13-10-326
  - successor candidates, 13-10-327
- defined, 13-1-101
- double nomination, 13-10-303
- "election" defined, 13-1-101
- eligibility, 13-10-601, 13-10-604

ELECTIONS (Continued)
Primary elections and nominations (Continued)

- facsimile transmissions, acts taken by, 13-13-277
- filing fees, 13-10-202
  - indigent candidates, 13-10-201, 13-10-203, 13-10-204
  - presidential petitions for nomination, not required, 13-10-405
  - refunds prohibited, 13-10-325
  - successor candidates, 13-10-327
  - write-in candidates, 13-10-204
- indigent candidates
  - declaration for nomination, 13-10-201
  - filing fees, 13-10-201, 13-10-203, 13-10-204
  - write-in candidate, 13-10-203, 13-10-204, 13-15-111
- joint filing of governor and lieutenant governor, Const., VI, 2
- mail ballot elections, See **Mail ballot elections**
- minor parties, petition for, 13-10-601
- nonpartisan elections, applicability of laws, 13-14-112, See also **Nonpartisan elections**
- notice
  - nomination, of, 13-10-301
  - party selection when nominated by more than one, 13-10-303
- omission of election when, 13-10-209
- party committeemen, election at, 13-38-201
- party eligibility for primary election, 13-10-601, 13-10-604
- party name, use, 13-10-602
- petition for, 13-10-601
- "political committee" defined, 13-1-101
- presidential preference
  - ballot, 13-10-402, 13-10-403
  - date, 13-10-401
  - effect, 13-10-407
  - national convention delegates, 13-10-407
  - no preference, 13-10-403
  - petitions of nomination, 13-10-404, 13-10-405
- recounts, See **Recounts**
- register of candidates, 13-10-205, 13-14-114
- registration list, 13-2-115
- return of votes, 13-10-301, 13-10-311, 13-16-501
- tie vote, 13-16-501
- unnecessary when, 13-1-304, 13-10-209
- vacancy
  - general election, prior to, 13-10-327, 13-38-101, 13-38-204
  - labels on ballot, 13-12-204
  - primary election, prior to, 13-10-326
  - voided election, due to, 13-35-107
- voiding of election, 13-35-107
- voting procedure, 13-10-301
  - absentee voting, 13-13-214
  - voting machines or devices, specification for secret party selection, 13-17-103
- withdrawal of candidate, 13-10-325 — 13-10-327
- write-in candidates
  - acceptance of nomination, 13-10-204, 13-10-305
  - filing fee, 13-10-203
  - independent candidate, 13-10-305
  - indigent candidate, 13-10-203
  - presidential preference, 13-10-403
  - previously nominated candidate, 13-10-302
  - requirements, 13-10-204

ELECTIONS (Continued)

Procedures information, dissemination of incorrect or misleading, 13-35-235
Prohibited acts, See **Crimes and prohibited acts**
Public employees' political activity, See **PUBLIC OFFICERS OR EMPLOYEES, Political activity**
Qualifications of electors, See **Electors**
Recall, See **RECALL**
Records
- absentee ballots, 13-13-233, 13-13-234
- ballot issues, copies of petitions, 13-27-305
- ballots
  - absentee ballots, 13-13-233, 13-13-234
  - number to each precinct, 13-12-210
- campaign, See **Campaign finance; Campaign practices; Campaign treasurer**
- canvass report, 13-15-404, 13-15-506
- challenges, 13-13-310
- destruction, 13-1-303, 13-35-206
- election administrator, maintenance by, 13-1-301
- injury, unlawful, 13-35-206
- pollbook, See **Voting procedure**
- preservation, 13-1-303
- public, 13-1-109, 13-1-204
- recounts, 13-16-417, 13-16-418
- registration of candidates, 13-10-205
- registration of voters, 13-1-301, 13-2-112
- secretary of state, maintenance by, 13-1-204

Recounts
- candidates may be present, 13-16-302, 13-16-411
- certificate of election or nomination to candidate, 13-16-418, 13-16-419
- certification of recount results, 13-16-418
- certification of tie vote, upon, 13-16-203
- close elections, grounds for petition, 13-16-201
- county recount board
  - candidates as members, 13-16-101
  - certification of results by, 13-16-418
  - certification of tie, recount procedure, 13-16-203
  - composition, 13-16-101
  - court order, meeting upon, 13-16-301, 13-16-305
  - inspection of ballots, petition for, 13-16-420
  - meetings, time, 13-16-204, 13-16-301
  - personnel, 13-16-101
  - petition, meeting upon, 13-16-204
  - procedure, 13-16-412 — 13-16-414
  - report, 13-16-416
  - resealing of ballots and machines, 13-16-417
  - secretary, 13-16-101
  - time of meetings, 13-16-204, 13-16-301
  - vacancies, 13-16-101
  - voting machines, testing by, 13-16-414, 13-16-417
- court order, under
  - application, 13-16-301, 13-16-302, 13-16-306
  - costs, 13-16-306, 13-16-307
  - counsel, 13-16-302
  - county recount board, by, 13-16-301, 13-16-305
  - disqualification of judge, 13-16-304
  - expenses, 13-16-306, 13-16-307

ELECTIONS (Continued)
Recounts (Continued)
- court order, under (Continued)
  - hearing, 13-16-301, 13-16-302
  - joinder, 13-16-306
  - jurisdiction, 13-16-301, 13-16-304
  - limitation of recount, 13-16-305
  - presumption of incorrectness, 13-16-303
  - scope of recount, 13-16-305
  - service of application, 13-16-302
  - time for application, 13-16-301
  - time for recount, 13-16-304
  - venue, 13-16-301
  - when, 13-16-301
- disposition of ballots and election materials pending, 13-1-303
- inspection of ballots, 13-15-403, 13-16-420
- missing or misplaced ballots, 13-16-420
- news media, representation, 13-16-411
- notice to
  - county recount board, 13-16-204
  - election administrators, 13-16-201
  - state canvassers, board of, 13-16-419
- paper ballots, procedure, 13-16-412 — 13-16-414
- petition, upon
  - applicability of laws, 13-16-203
  - bond, 13-16-211
  - county canvassers, board of — by, 13-15-403, 13-16-201, 13-16-211
  - county recount board, by, 13-16-204
  - expenses, 13-16-205, 13-16-211
  - grounds, 13-15-403, 13-16-201, 13-16-211
  - tie vote, applicability of laws, 13-16-203
  - total vote cast, defined, 13-16-202
- press may be present, 13-16-411
- public, to be, 13-16-411
- record, 13-16-416, 13-16-418
- report, 13-16-416
- representation of candidate or sides of ballot issue, 13-16-302, 13-16-411
- sealing of votes and materials after recount, 13-16-417, 13-16-420
- state canvassers, board of — by, 13-16-205, 13-16-419
- tally sheets, 13-16-415
- tie vote, after, 13-16-203, 13-16-501, See also **Tie votes**
- totals, 13-16-415, 13-16-418, 13-16-419
- voting machines or devices, procedure, 13-16-413
  - retesting equipment, 13-16-414
- write-in votes, 13-16-414

Referendums, See **BALLOT ISSUES**
Register of candidates, 13-10-205, 13-14-114
Register of voters, See **Precinct register**
Registrar of voters, 13-1-101, See **ELECTION ADMINISTRATOR**
Registration for primary, See **Primary elections and nominations**
Registration of voters
- action to compel, joinder of parties, 13-2-602
- administration, 13-1-301, See **ELECTION ADMINISTRATOR**
- affidavits, 13-2-215, 13-2-403, 13-2-404
- age, 13-2-205
- cancellation, 13-2-401, 13-2-402
  - fraudulent, when, 13-35-209
  - residence change, upon, 13-2-514

ELECTIONS (Continued)
Registration of voters (Continued)
  cancellation (Continued)
    transfer, upon, 13-2-513
    unlocatable electors, 13-2-207
  cards, petition signatures to be same as, 7-1-4133
  certificate of omission, 13-2-603
  challenges, 13-2-403, 13-2-404, See also **Challenges**
    cancellation upon, 13-2-402
    vote of challenged voter, 13-13-311
  citizenship, 13-2-206
  close of
    acceptance of forms after, 13-2-203
    correction of mistakes on forms, 13-2-301
    notice, 13-2-301
    procedure, 13-2-301
    registration during closed period, 13-2-302
  completion, 13-2-114
  constitutional convention delegate qualifications, applicability of laws, 13-26-110
  costs, 13-2-117
  drivers' license applications, form attached to, 61-5-107
  duplicates, 13-2-402
  effect, 13-2-601
  elector in united states service
    defined, 13-2-211
    facsimile transmission, by, 13-13-276 — 13-13-279
    federal post card, 13-2-212, 13-2-214
    federal write-in absentee ballots, 13-13-271 — 13-13-273
    mail, by, 13-2-212
    term of employment, effect, 13-2-215
  evidence, 13-2-601
  facsimile transmission, by, 13-13-276 — 13-13-279
  falsification, 13-35-207, 13-35-209
  federal post card application, 13-2-211, 13-2-212, 13-2-214, 13-2-215
  filing of forms, 13-2-112, 13-2-114, 13-2-214
  form, 13-2-112, 13-2-114, 13-2-203, 61-5-107
  fraud, 13-35-207, 13-35-209
  hours for, 13-2-201
  impersonation of elector, 13-35-209
  "kids vote", 13-22-105
  lists, 13-2-115, 13-35-205
    mailing list provision, nonapplicability, 2-6-109
  mail, by, 13-2-203, 13-2-212, 61-5-107
  "motor-voter" registration, 61-5-107
  name change, 13-2-511, 13-2-512
  notice
    cancellation, 13-2-401
    challenge, 13-2-403, 13-2-404
    close of registration, 13-2-301
    facsimile transmission, 13-13-277
    name change, 13-2-511
    polling place, of, 13-2-207, 13-2-215
    previous registration, 13-2-515
    registration, 13-2-207, 13-2-214, 13-2-215, 13-2-515
    residence change, 13-2-511
  numbering of forms, 13-2-114
  omission from precinct register, 13-2-603
  personal appearance, by, 13-2-202

ELECTIONS (Continued)
Registration of voters (Continued)

- polling place, at, Const., IV, 3.
- precinct register, See **Precinct register**
- previous registration, notice to appropriate officer, 13-2-515
- prospective electors, 13-2-205
- records, 13-2-112
- registrars, 13-1-101, See **ELECTION ADMINISTRATOR**
- required, 13-1-111, 13-2-601; Const., IV, 2; IV, 3
- reregistration, 13-2-401, 13-2-403
- residence, 13-1-111, 13-2-205; Const., IV, 2
  - change, 13-2-511, 13-2-512, 13-2-514
- social security number as registration number, 13-2-114
- time for, 13-2-201, 13-2-203
- transfer of registration
  - failure to transfer, 13-2-512
  - grounds, 13-2-511
  - procedure, 13-2-511, 13-2-513, 13-2-514
- youth voting program, 13-22-105

Rejection of ballots, See **Canvassing of votes**
Religious organizations, improper influence, 13-35-218
Republicans, See **Political parties**
Residency of voter, See **Electors**
Returns, See **Canvassing of votes**
Right to vote, Const., II, 13
School elections, See **SCHOOL ELECTIONS**
School trustees, See **SCHOOL ELECTIONS**
Secretary of state as chief election officer, 13-1-201, See **SECRETARY OF STATE**
Secret ballot, 13-1-102; Const., IV, 1

- absentee ballots, 13-13-221
- challenges, effect, 13-13-311
- contents, elector may not divulge, 13-13-119, 13-35-201
- folding for deposit in ballot box, 13-13-117, 13-35-202
- judges and officials, violations by, 13-35-202
- voting booth arrangement and use, 13-13-111
- voting machine arrangement and use, 13-13-111, 13-17-103

Slander, See **Campaign practices**, defamation
Special elections, specific provisions

- ballot issues, Const., III, 6
- congressional tie votes, to break, 13-16-502
- congressional vacancies, to fill
  - nominations, 13-25-205
  - representatives, 13-25-203, 13-25-205
  - senators, 13-25-202, 13-25-205
- constitutional convention delegates, for, 13-26-102
- costs, 13-1-302
- defined, 13-1-101
- “election” defined, 13-1-101
- facsimile transmissions, acts taken by, 13-13-277
- irrigation districts, 85-7-1712
- legislative vacancies, to fill, Const., V, 9
- notice, 13-1-108
- registration lists not required, 13-2-115
- voided elections, held for, 13-35-107

Special improvement districts, See **SPECIAL IMPROVEMENT DISTRICTS**
State Canvassers, Board of, See **Canvassing of votes**
State central committee, See **Political parties**

ELECTIONS (Continued)

Supplies
    ballots, See **Ballots**
    delivery to polling place, 13-12-102, 13-22-106
    destruction, 13-35-206
    disposition after election, 13-15-205, 13-15-301
    election administrators to provide, 13-12-102
    election laws, distribution, 13-12-101
    injury to, unlawful, 13-35-206
    judges of election to check, 13-13-101
    removal, unlawful, 13-35-206
Supreme court justices, See **Judicial candidates**
Threats and other improper influence on electors, See **Crimes and prohibited acts**
Tie votes, 13-16-501
    ballot issues, 13-15-405
    cases not provided for, 13-15-405, 13-16-507
    certification, 13-15-405
    congressional elections, 13-16-502
    county commissioners, 13-16-505
    county officers, 13-15-405, 13-16-506
    general election, 13-16-501
    judicial officers, 13-16-503
    legislators, 13-16-503
    precinct offices, 13-15-405
    primary election, 13-16-501
    recount, after, 13-16-203, 13-16-501
    state executive offices, 13-16-504
Town, See **CITIES AND TOWNS; CITY FINANCE**
Town meeting form of government, 7-3-603, 7-3-605, 7-3-606, 7-3-612
Transportation districts, See **TRANSPORTATION DISTRICTS, URBAN**
Trivial benefits, 13-35-102
Uniformity of provisions, 13-1-201
United States Constitution, amendments to, See **BALLOT ISSUES**, generally; **CONSTITUTION OF THE UNITED STATES, Amendments**
United States president, See **Presidential elections**
United States representatives, See **Congressional elections**
United States senators, See **Congressional elections**
Unlawful acts, See **Crimes and prohibited acts**
Urban renewal
    bond issues, required when, 7-15-4218
    financing activities, 7-15-4220
Vacancies
    campaign reporting incomplete, due to, 13-37-126
    commissioner of political practices, 13-37-104
    congressional offices, special election, 13-10-505, 13-25-202 — 13-25-205
    contests, creation by, 13-36-207, 13-36-210
    general election, prior to, 13-10-327, 13-38-101, 13-38-204
        senate, 5-2-406
    house of representatives, 5-2-407
    labels on ballot, 13-12-204
    nonpartisan elections, before general election, 13-14-118
    presidential electors, 13-25-107
    primary election, prior to, 13-10-326
        senate, 5-2-406
    senate, 5-2-406, 5-2-407
    voided election, due to, 13-35-107

ELECTIONS (Continued)

Vice-presidential elections, See **Presidential elections**
Violations, See **Crimes and prohibited acts**
Voiding of election, 13-35-107, See also **Contest of election**
Voter information pamphlets, See **BALLOT ISSUES**
Voters, See **Electors**
Voting machines or devices
  absentee elector, use by, 13-13-204
  abuse, 13-13-111, 13-17-301
  advisors to secretary of state, 13-17-102
  applicability of laws, 13-17-106
  approval, 13-17-101, 13-17-107
  arrangement at polling place, 13-13-111, 13-17-301
  ballots
    arrangement, 13-17-206
    destruction or injury, 13-35-206
    paper in lieu of machine, 13-17-305, 13-17-306
      recount, 13-16-413, 13-16-414
    sample ballot, 13-13-112, 13-17-203
  certification of election officials, 13-17-201
  counting of votes, 13-15-103, 13-15-202, 13-17-305
  defacing, 13-35-206
  defined, 13-1-101, 13-17-305
  demonstration of use, 13-17-204
  error, intentionally causing, 13-35-205
  examination of equipment
    advisors and technicians, 13-17-102
    recount, upon, 13-16-414
    required, 13-17-101
    rulemaking authority, 13-17-107
  exhibit, 13-17-204
  exit polling, 13-35-211, 13-35-218
  experimental use, 13-17-105
  funding, 13-17-104
  injury to, 13-35-206
  instructions for
    electors, 13-13-112, 13-17-203, 13-17-204
    judges of elections and other election officials, 13-4-203, 13-17-103, 13-17-201
  notice of use and location, 13-17-203
  number of electors voting, recording, 13-13-115
  number of machines, 13-13-111
  paper ballots when, 13-17-305, 13-17-306
    recount, 13-16-413, 13-16-414
  placement in polling place, 13-13-111, 13-17-301
  pollbook, use with, 13-13-115
  provision, 13-13-111, 13-17-104
  recount procedures, 13-16-413, 13-16-414, 13-16-417
  remaining too long within, 13-13-111, 13-17-301
  rulemaking authority, 13-17-107
  sample ballots, publication, 13-13-112, 13-17-203
  specifications required, 13-17-103
  tampering, 13-35-205, 13-35-206
  technicians to assist secretary of state, 13-17-102
Voting procedure
  absentee, See **Absentee voting**
  after election, See **Canvassing of votes**

ELECTIONS (Continued)
Voting procedure (Continued)

- arrests to prevent obstruction of polling place, 13-13-122
- assistance to electors, See **Handicapped voters**
- ballot box, deposit in, 13-13-117
- ballots, See also **Ballots**
  - alternative means for casting for voters assigned to inaccessible polling place, 13-3-213
  - changing after deposit unlawful, 13-35-205
  - deposit in ballot box, 13-13-117, 13-35-205
  - labels, 13-13-117
  - mail ballot elections, See **Mail ballot elections**
  - marking, 13-13-117, 13-22-104, 13-22-106
  - number, 13-12-210, 13-13-115
  - one to each elector, 13-13-116
  - paper
    - form, 13-12-209
    - instructions, 13-12-209
    - pollbook entries, 13-13-115
    - voting machines, in lieu of, 13-17-305, 13-17-306
  - removal before closing polls unlawful when, 13-35-206
  - sample, display, 13-13-112, 13-17-203
  - secret, See **Secret ballot**
  - spoiled, 13-12-210, 13-13-112, 13-13-117
  - stamping, 13-13-116, 13-15-201
  - youth voting program, 13-22-104 — 13-22-106
- booths, provision and use, 13-13-111, 13-35-206
- canvassing of votes, See **Canvassing of votes**
- challenges, See **Challenges**
- changing ballot after deposit unlawful, 13-35-205
- counting votes, See **Canvassing of votes**
- disabled voters, See **Handicapped voters**
- disruption, 13-35-206
- elderly voters, See **Polling places**, accessibility to handicapped and elderly voters
- handicapped voters, See **Handicapped voters**
- illiterate elector, 13-13-119, 13-13-229
- impersonation of voter, 13-35-210
- influence of voters, improper, See **Crimes and prohibited acts**
- initiative petition signatures, gathering at polling place, 13-13-122, 13-35-211, 13-35-218
- instructions, 13-12-209, 13-13-112, 13-17-203, 13-22-104, 13-35-206
- interference with voter, 13-13-122, 13-35-206, 13-35-218
- "kids vote", 13-22-104 — 13-22-106
- mail ballot elections, See **Mail ballot elections**
- marking ballot, 13-13-117, 13-22-104, 13-22-106
- multiple votes by one voter, 13-35-210
- names of electors, announcement, 13-13-120
- number of electors voting, recording, 13-12-210, 13-13-115
- obstruction of polling place, 13-13-122, 13-35-206, 13-35-218
- pollbook entries, 13-13-115
  - absentee ballots, 13-13-234
  - canvassing entries, 13-15-202
  - certification, 13-15-204, 13-15-403
  - challenged ballots, 13-13-311
  - defect, effect, 13-15-403
  - disposition after election, 13-15-205, 13-15-301
  - duplicates, 13-15-103
  - signing, 13-15-204
- polling place, See **Polling places**

ELECTIONS (Continued)
Voting procedure (Continued)

- poll watchers, 13-13-120, 13-13-121
- precinct register, signing, 13-2-116, 13-13-114
  - addendum, 13-2-601, 13-3-213
  - handicapped voter, when assisting, 13-13-119, 13-13-229
  - inability to write, 13-13-114
- prevention of exercise of right to vote, 13-13-122
- primary elections, 13-10-209, 13-10-301, 13-10-302, 13-10-311
- rejection of ballot, See **Canvassing of votes**
- right to vote, Const., II, 13
- sample ballot, display, 13-13-112, 13-17-203
- secret ballot, See **Secret ballot**
- spoiled ballot, 13-12-210, 13-13-112, 13-13-117
- stamping ballot, 13-13-116, 13-15-201
- supplies, See **Supplies**
- united states service, electors in, 13-2-212, 13-2-214, 13-2-215, 13-13-271 — 13-13-273
- unqualified voter, vote by, 13-35-210
- voting machines, provision and use, 13-13-111, 13-17-301, See also **Voting machines or devices**
- write-in votes, 13-13-117, 13-15-202, See also **Write-in candidates and votes**
  - federal write-in absentee, 13-2-212, 13-13-271 — 13-13-273, 13-15-202
  - primary elections, 13-10-302
  - voting machines or devices, in, 13-17-103
- youth voting program, 13-22-104 — 13-22-106

Wards, 7-4-4401, 7-5-4401, 13-3-104
Warning notice, 13-13-113
Water conservancy districts, See **WATER CONSERVANCY DISTRICTS**
Winner, 13-1-103, 13-15-405, 13-15-507, 13-25-104; Const., IV, 5
Write-in candidates and votes
- ballot arrangement, 13-12-208
- canvassing of votes, 13-15-202, 13-15-403, 13-15-404, 13-15-505, 13-15-506
- declaration of acceptance by individual elected, filing, 13-15-111
- declaration of intent, filing, 13-10-211, 13-15-202
- general elections, 13-15-111
- indigent candidates, 13-10-203, 13-10-204, 13-15-111
- labels on ballot, 13-13-117
- primary elections, See **Primary elections and nominations**
- recounts, 13-16-414
- voting machines must allow, 13-17-103
- voting procedure, 13-13-117, 13-15-202

Youth Voting Act, Title 13, chapter 22, See **Youth voting program**
Youth voting program
- ballots, 13-22-104 — 13-22-106
- candidates, 13-22-102, 13-22-105
- citation of youth voting act, 13-22-101
- development, 13-22-104
- establishment, 13-22-103
- funding and funds, 13-22-102, 13-22-103, 13-22-107
- intent, 13-22-102
- issues, 13-22-102, 13-22-105
- nonpartisan, 13-22-102, 13-22-104
- participation
  - election administrators, 13-22-103
  - reports, biennial — information for, 13-22-108

ELECTIONS (Continued)
Youth voting program (Continued)
  participation (Continued)
    schools, 13-22-103
      responsibilities, 13-22-105
      results available to, 13-22-104, 13-22-106
  polling places, 13-22-104, 13-22-105
    procedures, 13-22-106
  private funding, 13-22-102, 13-22-107
  purpose, 13-22-102
  registration procedures, 13-22-105
  reports, biennial, 13-22-108
  results of elections, 13-22-104, 13-22-106

ELECTRICAL BOARD, STATE, 2-15-1874; Title 37, chapter 68, part 2
  See **ELECTRICIANS**

ELECTRIC AND TELEPHONE COOPERATIVE ACT, RURAL, Title 35, chapter 18
  See **UTILITIES, RURAL COOPERATIVE**, generally

ELECTRICIANS
Administration of provisions, 37-68-201
Appliances, electrical — vendors exempt from provisions when, 37-68-103
Apprentices, 37-68-303, 37-68-305, 37-68-311, 37-68-314
Board, 2-15-1874; Title 37, chapter 68, part 2
City electrician, 7-33-4103, 7-33-4127
Continuing education, 37-68-201
County attorney, duties, 37-68-322
Electrical contractors, 37-68-102, See **Licenses and licensing**
Exemptions from provisions, 37-68-103
Fines, 37-68-322
Fraud, 37-68-321
Incompetency, 37-68-321
Journeyman electricians, 37-68-102
  apprenticeship, 37-68-305
  licensing, See **Licenses and licensing**
  supervision by, when, 37-68-103
Licenses and licensing, Title 37, chapter 68, part 3
  applications, 37-68-304, 37-68-305, 37-68-310 — 37-68-312
  contractors, 37-68-312
  discrimination in issuance prohibited, 49-3-204
  examinations
    fee, 37-68-311
    forfeiture, following, 37-68-310
    journeyman electricians, 37-68-305
    licensure without, when, 37-68-308
    master electricians, 37-68-304
    procedures, 37-68-307
    qualification for, 37-68-314
    residential electricians, 37-68-305
  expiration, 37-68-307, 37-68-312
  fees, 37-68-304, 37-68-306, 37-68-307, 37-68-309 — 37-68-312
  forfeiture when, 37-68-310
  fraud in obtaining, 37-68-321
  journeyman electricians, qualifications, 37-68-305
  local licenses, effect, 37-68-308
  master electricians, qualifications, 37-68-304
  misstatements or misrepresentation in obtaining, 37-68-321
  nonresidents, 37-68-309

ELECTRICIANS (Continued)
Licenses and licensing (Continued)

- qualifications
  - journeyman electricians, 37-68-305
  - master electricians, 37-68-304
  - nonresidents, 37-68-309
  - residential electricians, 37-68-305
- reciprocity, 37-68-309
- renewal, 37-68-310, 37-68-312
- required, 37-68-301
- residential electricians, qualifications, 37-68-305
- rules for, 37-68-201
- suspension or revocation, 37-68-321
- temporary permits, 37-68-306

Master electricians, 37-68-102, 37-68-103, See **Licenses and licensing**
Misconduct, 37-68-321
Negligence, 37-68-321
Nonresidents, 37-68-309
Public employment agencies, referrals, 37-68-301
Purpose of provisions, 37-68-101
Qualifications, See **Licenses and licensing**
Residential electricians, 37-68-102, 37-68-305, See **Licenses and licensing**
Security alarm systems, installation, 37-60-409
State Electrical Board, 2-15-1874; Title 37, chapter 68, part 2
Title, unauthorized use, 37-68-302
Unions, referrals, 37-68-301
Violations and penalty, 37-68-322

- enjoinder of persons committing, 37-68-201
- license suspended or revoked for, 37-68-321, 37-68-322
- prosecution, 37-68-201
- statute of limitation on prosecution, tolling, 37-68-322

ELECTROLOGY AND ELECTROLOGISTS
Chemical dependency, effect, 37-32-310
Cosmetologists, Board of, Title 37, chapter 32, part 2
Disciplinary actions, 37-32-310
Equipment standards, 37-32-304
Exemptions from provisions, 37-32-103
Fines, 37-32-311
Inspections, 37-32-304, 37-32-306
Licenses and licensing, Title 37, chapter 32, part 3

- applications, 37-32-301, 37-32-304, 37-32-306
- discrimination in issuance prohibited, 49-3-204
- display, failure to, 37-32-310
- examinations, 37-32-302
- expiration, 37-32-305
- fees, 37-32-301, 37-32-304, 37-32-305
- issuance, 37-32-302
- misuse, 37-32-310
- qualifications, 37-32-302
- reciprocity, 37-32-303
- refusal, 37-32-310
- renewal, 37-32-301, 37-32-304, 37-32-305
- required, 37-32-301
- revocation or suspension, 37-32-305, 37-32-310
- rules for, 37-32-201
- salons, 37-32-201, 37-32-304

ELECTROLOGY AND ELECTROLOGISTS (Continued)
Licenses and licensing (Continued)

schools, 37-32-201, 37-32-304
teachers, 37-32-301, 37-32-304
temporary permits, 37-32-306
Malpractice, 37-32-310
Noncompliance with provisions, 37-32-310
Nonresidents, 37-32-303
Penalty for violations, 37-32-311
Physician assistants-certified utilization plans, applicability, 37-20-303
Practice of electrology, 37-32-102
disease, by persons having, 37-32-310
license required, 37-32-302
Purpose of provisions, 37-32-101
Representation on Board of Cosmetologists, 2-15-1857
Salons
inspections, 37-32-306
licensing, 37-32-201, 37-32-304
sanitary standards, 37-32-201, 37-32-304, 37-32-310
Sanitary standards, rules, 37-32-201, 37-32-304, 37-32-310
Schools of electrology
curriculum and conduct, 37-32-201
inspections, 37-32-306
licensing, 37-32-201, 37-32-304
sanitary standards, 37-32-201, 37-32-304, 37-32-310
Teaching of electrology
premises, licensing, 37-32-201, 37-32-304
teachers, licensing, 37-32-301, See also **Licenses and licensing**
Unprofessional conduct, 37-32-310
Violations and penalty, 37-32-311

ELECTRONIC FUNDS TRANSFER
Advertising, 32-6-307
Application of laws, 32-6-102
Automated teller machines, See **Terminals**
Balance requirements, consumer information, 32-6-104
Branch banks, 32-1-372, 32-6-202 — 32-6-204
Charges for transactions, 32-6-104, 32-6-203, 32-6-309
Checking accounts, option for conventional checking preserved, 32-6-309
Citation of Electronic Funds Transfer Act, 32-6-101
Consumer information, 32-6-104
County treasurer, payments received by — receipts for, 7-6-2116, 15-16-104
Definitions, 15-1-801, 17-8-301, 32-6-103
Enforcement of provisions, 32-6-402
Errors, 32-6-104, 32-6-302, 32-6-303
Foreign financial institutions, 32-6-204
Format code, standardization, 32-6-308
Funds transfers, exclusion, 30-4A-108
Hearings, unauthorized terminal operation, 32-6-402
Identification, customer — required, 32-6-303, 32-6-305
Identification device, 32-6-103, 32-6-104, 32-6-303, 32-6-304, 32-6-308
Identification number, 32-6-103, 32-6-104, 32-6-303, 32-6-305, 32-6-306
Injunction, unauthorized terminal operation, 32-6-402
Investment in corporation operating and owning terminals, 32-6-203
Legislative intent, 32-6-102
Liability, 32-6-104, 32-6-105, 32-6-303
Livestock dealers, transactions by, 81-8-234

ELECTRONIC FUNDS TRANSFER (Continued)

Lottery, state — ticket or chance sales agents, payments to lottery, 23-7-301
Periodic statement, 32-6-104, 32-6-301, 32-6-302
Privacy, protection, 32-6-105, 32-6-304
Purposes, 32-6-102
Records
    admissibility, 32-6-301
    consumer information, 32-6-104
    fine for unauthorized disclosure, 32-6-106
    merchant records, 32-6-303, 32-6-305
    periodic statement, 32-6-104, 32-6-301, 32-6-302
    privacy, 32-6-105
    required, 32-6-301, 32-6-304, 32-6-305
    unauthorized disclosure, 32-6-106
Rulemaking authority, 32-6-401
School state BASE aid, distribution, 20-9-346
State payroll warrants, 2-18-405, 17-8-301
Subpoena, disclosure of transactions upon, 32-6-105
Supervision, 32-6-401
Tax payments by, 15-1-801 — 15-1-803, 15-16-104
Terminals, 32-6-103
    access requirements, 32-6-203
    advertising, 32-6-307
    authorization, 32-6-202, 32-6-204, 32-6-304, 32-6-305, 32-6-402
    connection charges, 32-6-203
    format code, standardization, 32-6-308
    geographical restrictions, 32-6-202, 32-6-204
    identification number used in, customer identification not required, 32-6-305
    location, 32-1-372, 32-6-102, 32-6-202, 32-6-204
    merchant warranty, 32-6-303
    sharing of automated teller machines, 32-6-204
    unauthorized operation, 32-6-402
    uses permitted, 32-6-201
    withdrawals, notice of time period to be posted, 32-1-440
Unauthorized transactions, 32-6-104, 32-6-303, 32-6-402
Wages, payment by, 39-3-204

ELEVATORS
Agricultural commodities, Title 80, chapter 4, part 5, See **AGRICULTURAL COMMODITIES, Warehouses and warehousemen**
Building codes, compliance, 50-60-101, 50-60-701, 50-60-702
Casualty insurance, See **INSURANCE, CASUALTY**, generally
Commerce, Department of — authority, 50-60-701, 50-60-702
Condition report, 50-60-701
Condominiums, as common element, 15-8-511, 70-23-102
Construction sites, protection of openings at, 50-70-104, 50-70-106, 50-70-107, See also **HOISTING ENGINES**
Grain, See **AGRICULTURAL COMMODITIES, Warehouses and warehousemen; RAILROADS, Grain elevators or warehouses**
Hoisting engine provisions, applicability when, 50-76-101, See **HOISTING ENGINES**
Industrial, See **HOISTING ENGINES**
Inspections
    condition report, 50-60-701
    exemptions, 50-60-703
    fees, 50-60-701
    insurance company, by, 50-60-701, 50-60-702

ELEVATORS (Continued)
Inspections (Continued)

labor and industry, commissioner of — authority, 39-1-103
maintenance company, by, 50-60-701, 50-60-702
standards, 50-60-702
Insurance against loss or damage, See **INSURANCE, CASUALTY**, generally
Landlord-tenant relationships, maintenance, 70-24-303, 70-24-321, See also **LANDLORD AND TENANT, Maintenance**
Minors' employment prohibited, 41-2-107
Rulemaking authority, 50-60-702
Smoking in, prohibited, 50-40-105
State building code, compliance, 50-60-101, 50-60-701, 50-60-702

ELISORS, 25-1-1101, 25-3-206

ELK
See **FISH AND WILDLIFE, Bow and arrow; Game animal farms; Game animals**; See also **LIVESTOCK, Marks and brands**

EMBARGOES
Commercial feeds, 80-9-302, 80-9-303
Commercial fertilizers, 80-10-302
Cosmetics, 50-31-501, 50-31-509
Drugs, 50-31-501, 50-31-509
Food, 50-31-501, 50-31-509
Hazardous substances, 50-30-307
Noxious weeds, 7-22-2126
Pesticides, 50-30-307, 80-8-303

EMERGENCIES AND EMERGENCY POWERS
Access to affected area, 10-3-104, 10-3-401, 10-3-406
Activation of emergency programs, See **Declaration of disaster or emergency**
Administrative rules
emergency rules, See **ADMINISTRATIVE RULES, Emergency rules**
suspension during emergency, 10-3-104
Aging persons — abuse, neglect, or exploitation — protective services, 52-3-804
Agricultural chemical ground water protection
investigations and inspections, 80-15-401
management plans, 80-15-217
orders or rules, 80-15-405
procedures, rules, 80-15-105
Aid programs
acceptance, 10-3-203
community loans, 10-3-314
debris and wreckage removal, 10-3-315
development, 10-3-105
encouraged, 10-3-202
federal, 10-3-203, 10-3-315
interstate mutual aid compact, 10-3-204, 10-3-205, 10-3-207, 10-3-208
law enforcement, interstate mutual aid agreements for, Title 44, chapter 11, part 3
private, 10-3-203
Air contaminant emissions
energy emergencies, suspension of controls, 90-4-310
reduction or discontinuance, 50-70-117, 75-2-301, 75-2-402
workplace, variances in, 50-70-117
Aircraft, emergency landing strips , 67-5-102, 76-5-401
Alcoholism treatment, 53-24-207, 53-24-302 — 53-24-304, See **CHEMICAL DEPENDENCY, Treatment and rehabilitation**

EMERGENCIES AND EMERGENCY POWERS (Continued)

Alfalfa leaf-cutting bees, movement, 80-6-1102, 80-6-1115
Amateur radio operators, 61-3-424
Ambulances, See **EMERGENCY MEDICAL SERVICES**
Appropriations, supplemental, 17-7-301, 17-7-311
Armed persons, importation into state, 45-8-106; Const., II, 33
Asbestos-related occupations and projects, emergency actions, 75-2-503
Banks and trust companies
  closure during, 32-1-561 — 32-1-565
  delays, excuse, 30-4-108
Boats
  authorized vessels, use of sirens, 23-2-521
  diver safety zones, operation in, 23-2-525
Budget provisions, 17-7-102, 20-9-168, 75-10-621, See **BUDGET AND BUDGETING**
Capitol, relocation, 10-3-607; Const., III, 2
Chemical dependency treatment, 53-24-207, 53-24-302 — 53-24-304, See **CHEMICAL DEPENDENCY, Treatment and rehabilitation**
Child abuse and neglect
  placement of child, 41-3-301
  reports of, 41-3-302
Cities and towns, See this category generally; See also **CITIES AND TOWNS, Emergencies; Ordinances and resolutions; CITY FINANCE, Emergency expenditures and liabilities**
City-county consolidated governments
  commission president, powers and duties, 7-3-1219
  ordinances and resolutions regarding, 7-3-1223, 7-3-1224, 7-3-1230
Civil defense
  defined, 10-3-103
  director, list of amateur radio operators, 61-3-424
  hazardous material incidents, recovery of costs, 75-10-716, 75-10-717
  law enforcement officers, duties, 7-32-201
  9-1-1 emergency telephone system, Title 10, chapter 4, parts 1 — 3
  personnel, liability, 10-3-111
  postattack resources management, See **Postattack resources management**
  public safety communications officers, 7-31-201 — 7-31-203, 44-4-301, 44-4-302
  supervision and coordination, 10-1-102
  symbol, 10-3-113
Commander-in-chief during, 10-3-305; Const., VI, 13
Commitment
  developmentally disabled persons, 53-20-112, 53-20-129, See also **DEVELOPMENTALLY DISABLED PERSONS, Admission to residential facility**
  mentally ill persons, 53-21-102, 53-21-129, 53-21-146, See also **MENTAL ILLNESS OR INCAPACITY, Commitment**
Communications, 10-3-106, 27-1-735, 61-3-424; Title 10, chapter 4, parts 1 — 3
Community college districts, budgets, 20-15-323 — 20-15-326
Community disaster loans, 10-3-314
Community service corps and volunteer projects, 90-14-105
Condominiums, repairs, 70-23-504, 70-23-604
Continuity in Government Act, Title 10, chapter 3, part 6, See **Continuity of government**
Continuity of government, Const., III, 2
  citation of the continuity in government act, 10-3-601
  cities and towns
    executive, 10-3-605
    governing bodies, 10-3-604
  county commissioners, boards of, 10-3-603

EMERGENCIES AND EMERGENCY POWERS (Continued)
Continuity of government (Continued)

  governor, 2-16-513, 10-3-602, See also **GOVERNOR, Succession**
  provisions
    enactment, Const., III, 2
    term of, 10-3-609; Const., III, 2
  quorum requirements, 10-3-606
  relocation of government functions
    courts, venue, 3-5-405
    seats of government, 10-3-607, 10-3-608; Const., III, 2
Corporation bylaws, 35-1-237
Counties, See this category generally; See also **COUNTIES, Emergencies; COUNTY COMMISSIONERS, BOARD OF; COUNTY FINANCE, Emergency expenditures and liabilities**
County road emergency areas, 7-14-2128, 7-14-2129
Courts, emergency change of venue, 3-5-405, 3-5-406
Crime victims, services, 46-24-201
Criminal justice information systems, security, 44-5-401
Dams
  "emergency" defined, 85-15-106
  preparedness and warning procedures, 85-15-110, 85-15-212
  repairs or breaching, 85-15-215
Debris removal, 10-3-315
Declaration of disaster or emergency
  appropriation following, 10-3-101, 10-3-312
  community disaster loans, authorization, 10-3-314
  debris and wreckage removal, authorization, 10-3-315
  energy supply emergencies, 90-4-305, 90-4-308 — 90-4-310, 90-4-318
  expenditures following, 10-3-101, 10-3-311, 10-3-312, 17-8-106
  federal, 10-3-312
  housing for victims, authorization, 10-3-313
  livestock marks or brands, expenditure of rerecording fees — effect, 81-3-107
  local, 7-31-2101, 10-3-402, 10-3-403
    contents, 10-3-404
    dissemination, 10-3-404
    effect, 10-3-404
    termination, 10-3-402 — 10-3-404
  military personnel, extension of enlistment, 10-1-303
  noxious weed, 80-7-815
  postattack, 10-3-505, 10-3-506
  schools
    closure by declaration, 20-9-802, 20-9-806
    elections, cancellation due to, 20-20-108
  state
    contents, 10-3-104
    dissemination, 10-3-304
    effect, 10-3-302, 10-3-303
    preparation, 10-3-105
    responsibilities, 10-3-101
    termination, 10-3-104, 10-3-302, 10-3-303
  weather modification, 85-3-424
Definitions, 10-3-103, 10-3-1103
  emergency, 10-3-103, 17-7-102, 20-15-323, 32-1-561, 69-4-501, 75-10-621, 80-7-501, 85-15-106
  emergency resources management plan, 10-3-502
  emergency services, 33-22-1703
  enemy attack, 10-3-502

EMERGENCIES AND EMERGENCY POWERS (Continued)
Definitions (Continued)

energy supply emergency provisions, 90-4-302
political subdivision, 10-3-103; 10-3-502
public safety communications officers, 7-31-201, 44-4-302
Detention centers, 7-32-2222
Developmentally disabled persons
abuse, neglect, or exploitation — protective services, 52-3-804
admission to residential facility, 53-20-112, 53-20-129
transfer to different facility, 53-20-127
Disaster and Emergency Services, Division of
communications, coordination, 10-3-106
cooperation with other agencies, 10-3-105, 10-3-201, 10-3-202
coordination of emergency programs, 10-3-105
creation, 2-15-1204, 10-3-105
declaration of emergency filed with, 10-3-304, 10-3-404
defined, 10-3-103
drought advisory committee, duties and responsibilities consistent, 2-15-3308
duties generally, 10-3-105, 10-3-301
employees, 10-3-105
establishment, 10-3-105
highways, use, 10-3-107
local agencies, assistance to, 10-3-201
personnel, 10-3-105
review of local plans and programs, 10-3-105, 10-3-202
school districts, earthquake emergency plans and procedures, 20-7-1101
Distraint, warrants for, 15-1-703, 15-1-707
Drainage districts, repairs, 85-8-367, 85-8-368
Drug abuse treatment, 53-24-207, See **CHEMICAL DEPENDENCY**, **Treatment and rehabilitation**
Drug distribution, wholesale — protocol of procedures and policies, 37-7-604
Elections
absentee ballots, 13-13-212
judge of election, excuse from polling place, 13-4-207
polling places, relocation, 13-3-105, 13-3-204, 13-3-211
Emergency medical technicians, See **EMERGENCY MEDICAL SERVICES**
Emergency resource management plan, Title 10, chapter 3, part 5
Emergency Services Mutual Aid Act, Interstate, Title 10, chapter 3, part 11
EMT's, See **EMERGENCY MEDICAL SERVICES**
Endangered species — destruction, removal, or capture allowed when, 87-5-109
Energy Policy Committee, Title 90, chapter 4, part 3
Energy supply emergencies
alert, declaration, 90-4-302, 90-4-305, 90-4-308 — 90-4-310
compliance, 90-4-313
consumer advice, 90-4-305, 90-4-306
curtailment plans, 90-4-307, 90-4-310
definitions, 90-4-302
disaster and emergency services laws supplemented, 90-4-317
distributors, 90-4-302
  advice to governor, 90-4-306
  confidential information, disclosure, 90-4-305
  curtailment plans, preparation and approval, 90-4-307
  liability, 90-4-314, 90-4-315
  orders from governor, 90-4-314
duration, 90-4-310
emergency, 90-4-302
  declaration and termination, 90-4-305, 90-4-308, 90-4-310

EMERGENCIES AND EMERGENCY POWERS (Continued)
Energy supply emergencies (Continued)

- energy policy committee, 90-4-302, 90-4-303
  - curtailment plans, advice on, 90-4-307
  - declaration of alert or emergency, advice on, 90-4-308, 90-4-310
  - information from governor, 90-4-305
  - orders, compliance — advice on, 90-4-313
  - priorities, advice on, 90-4-304
- expenditures authorized, 90-4-318
- federal provisions, coordination with, 90-4-312
- information gathering, 90-4-305, 90-4-306
- legislative intent, 90-4-301
- liability, 90-4-314, 90-4-315
- public services, priority, 90-4-304, 90-4-307
- purpose of provisions, 90-4-301
- rulemaking authority, 90-4-316
- state and local government executives, cooperation, 90-4-311
- violations and penalties, 90-4-301, 90-4-313, 90-4-319

Environmental contingency account, use, 75-1-1101
Estates and probate
- corepresentatives, when joint action not required, 72-3-622
- special administrator, appointment, 72-3-701

Evacuation, 7-32-2222, 10-3-104, 10-3-401, 10-3-406, 75-20-1204
Expenditures
- authorization and restrictions, 10-3-311, 17-8-106
- budget provisions, 17-7-102, 75-10-621
- cities, See **CITY FINANCE, Emergency expenditures and liabilities**
- community disaster loans, 10-3-314
- counties, 7-14-2524, See also **COUNTY FINANCE, Emergency expenditures and liabilities**
- dams, repairs or breaching, 85-15-215
- debris and wreckage removal, 10-3-315
- drainage district repairs, 85-8-368
- energy supply emergencies, 90-4-318
- environmental contingency account, use, 75-1-1101
- flood-related damages, restrictions, 10-3-311
- hazardous substances, for remedial action to prevent or alleviate release, 75-10-621
- housing for victims, 10-3-313
- interstate emergency services mutual aid, 10-3-1105, 10-3-1115
- irrigation districts, 85-7-2001
- local funding, 10-3-405
- maximum, 10-3-312
- medical services programs, 50-6-103
- noxious weed emergencies, 80-7-814, 80-7-815
- renewable resource grant and loan projects, 85-1-605
- restrictions, 10-3-311, 17-8-106
- weather modification, 85-3-423

False alarm of, 45-7-204
Federal aid and services
- acceptance, 10-3-203
- debris removal, 10-3-315
- interstate emergency services mutual aid agreements, See **Interstate emergency services mutual aid**
- loans, 10-3-203, 10-3-314
- state matching funds required, effect, 10-3-311

Federal declaration of disaster or emergency, 10-3-312
Fire crews, voluntary urban — use in rural areas, 7-33-2207

EMERGENCIES AND EMERGENCY POWERS (Continued)

Fire danger, areas closed to hunting and fishing when, 87-3-106
Fire districts, rural — emergency response equipment, 7-33-2109
Fire protection services, 7-3-1345, 7-33-2105, 7-33-2108, 7-33-2202, 7-33-4112, See also **Interstate emergency services mutual aid**
Fire service areas, rural — emergency response equipment, 7-33-2402
Flood-related damages, expenditures restricted, 10-3-311
Food
  bread and flour, shortages, 50-34-109
  postattack regulation, 10-3-505
Forest fire emergency in county, state suppression costs, 7-33-2210
Forest practices by owners of forest lands or timber, 76-13-135
Foster children, respite care, 41-3-1102, 41-3-1151, 41-3-1152
Funding, See **Expenditures**
Gasoline and petroleum products, See **Energy supply emergencies**
Gifts and grants for disaster or emergency purposes, 10-3-203, 10-3-313, 10-3-315
Good Samaritan Law, 27-1-714, 37-3-103, 41-1-405, 50-6-206
Governor, See **GOVERNOR**
Ham radio operators, 61-3-424
Hazardous chemicals, medical, 50-78-205
Hazardous material incidents, recovery of costs, 75-10-716, 75-10-717
Hazardous or deleterious substances, remedial action upon release, 75-10-621, 75-10-712
Hazardous wastes
  response plans of facilities, 75-10-441
  treatment, storage, disposal, or facilities — permits for, 75-10-406
  variances, effect, 75-10-408
Health care facilities, See **EMERGENCY MEDICAL SERVICES**
Herding livestock during nighttime on highways, 60-7-204
Highways
  county road emergency areas, 7-14-2128, 7-14-2129
  emergency maintenance services, interstate agreement for, 60-2-213
  emergency road service, Title 61, chapter 12, part 3
  herding livestock on, during nighttime, 60-7-204
  use, 10-3-107
Hoisting engines, operation, 50-76-102, 50-76-103
Housing
  postattack emergency regulation, 10-3-505
  victims, for — temporary, 10-3-103, 10-3-313
Importation of armed persons into state, 45-8-106; Const., II, 33
Insect pest infestations, 80-7-501, 80-7-502
Interstate emergency services mutual aid
  agreement
    actions involving, right of state, 10-3-1113
    agency duties, effect on, 10-3-1111
    approval, 10-3-1104, 10-3-1106
    authorization, 10-3-1104
    content, 10-3-1104, 10-3-1105
    defined, 10-3-1103
    disapproval, written statement, 10-3-1106
    filing, 10-3-1107
    limitation of powers, 10-3-1112
  citation of interstate emergency services mutual aid act, 10-3-1101
  definitions, 10-3-1103
  funding and budget, 10-3-1105, 10-3-1115
  liability, 10-3-1113
  other law, effect, 10-3-1114

EMERGENCIES AND EMERGENCY POWERS (Continued)
Interstate emergency services mutual aid (Continued)

- personnel or services, 10-3-1115
- property, 10-3-1105, 10-3-1115
- purpose, 10-3-1102
- short title, 10-3-1101

Interstate Mutual Aid Compact
- enactment, 10-3-204
- entry into, 10-3-204
- governor's authority to join, 10-3-205
- rulemaking authority, 10-3-208
- supplemental agreements, 10-3-205
- text, 10-3-207

Investment companies, closure during, 32-1-561 — 32-1-565
Irrigation districts, emergency expenditures, 85-7-2001
Landlord's access to rented dwelling, 70-24-312, 70-24-425
Law
- disaster and emergency law
  - limitations, 10-3-102
  - supplemented by energy supply emergency laws, 90-4-317
- housing for victims, temporary — suspension or modification to provide, 10-3-313
- interstate emergency services mutual aid agreements, effect of other law, 10-3-1114
- postattack rules and orders to have effect of, 10-3-505

Law enforcement, interstate mutual aid agreements for, Title 44, chapter 11, part 3
Liability
- civil defense personnel, 10-3-111
- energy supply emergencies, distributors, 90-4-314, 90-4-315
- interstate emergency services mutual aid agreements, 10-3-1113
- limitations, 27-1-714
- nuclear accident or attack, Title 90, chapter 5, part 2

Livestock
- county road emergency areas, running on, 7-14-2129
- disease control, 81-2-111, 81-21-104
- herding during nighttime on highways, 60-7-204
- marks or brands, expenditure of rerecording fees — effect of declaration on, 81-3-107
- transitory cargo, unloading, 81-2-703, 81-2-801
- veterinarians, removal from state for treatment, 81-3-233

Loans
- community disaster, 10-3-314
- federal, 10-3-203, 10-3-314
- housing for victims, 10-3-313

Local emergencies or disasters
- agencies to handle, See **Local government agencies**
- declaration, 7-31-2101, 10-3-402 — 10-3-404
- funding, 10-3-405
- preparedness planning, 10-3-201, 10-3-401
- principal executive officer
  - access to affected area, authority, 10-3-406
  - aid programs, acceptance, 10-3-203
  - declaration, issuance and termination, 10-3-402, 10-3-403
  - defined, 10-3-103
  - evacuation authority, 10-3-406
  - intergovernmental cooperation, duties, 10-3-201

Local government agencies
- aid programs, 10-3-202, 10-3-203
- cooperation with other governmental agencies, 10-3-107, 10-3-202
- declaration of emergency, filing with, 10-3-404

EMERGENCIES AND EMERGENCY POWERS (Continued)
Local government agencies (Continued)

- designation, 10-3-201
- duties generally, 10-3-201
- employee requirements, 10-3-112
- establishment, 10-3-101
- housing for victims, temporary, 10-3-313
- identification, 10-3-113
- interstate emergency services mutual aid, See **Interstate emergency services mutual aid**
- liability, 10-3-111, 10-3-1113
- oath, 10-3-112
- plan, written, 10-3-401
- political involvement prohibited, 10-3-112

Long-term care facility residents, involuntary transfer or discharge — advance notice not required when, 50-5-1104
Martial law, 10-1-106, 10-3-102; Const., VI, 13
Medical care providers, See **Interstate emergency services mutual aid; EMERGENCY MEDICAL SERVICES**
Medical services, See **EMERGENCY MEDICAL SERVICES**
Medical technicians, See **EMERGENCY MEDICAL SERVICES**
Mentally ill persons
- crisis intervention programs, 53-21-139
- generally, 53-21-102, 53-21-129, 53-21-146
- minors, Title 41, chapter 1, part 4

Military Affairs, Department of, See also **Disaster and Emergency Services, Division of**
- defined, 10-3-103
- emergency resources management plan, preparation, 10-3-502
- expenditure programs, rulemaking authority, 10-3-311
- national defense highway plans, 10-3-107
- powers and duties generally, 10-1-102

Military personnel, extension of enlistment, 10-1-303
Mineral development, caused by — use of environmental contingency account, 75-1-1101, 82-4-357
Minors
- abused and neglected
  - placement of child, 41-3-301
  - reports of, 41-3-302
- medical care, Title 41, chapter 1, part 4
- youth court, placement of youth, 41-5-526, 41-5-528

Montana Conservation Corps projects, 23-1-303, 23-1-311
Motor carriers, motor vehicles as emergency equipment, 69-12-421
Motor vehicles
- authorized emergency vehicles, See **EMERGENCY MEDICAL SERVICES, Ambulances; MOTOR VEHICLES AND TRAFFIC REGULATIONS, Authorized emergency vehicles**
- emergency brakes, operation, 61-9-308
- emergency road service, Title 61, chapter 12, part 3
- motor carriers, as emergency equipment, 69-12-421
- on-scene command and control vehicles, designation, 61-9-402, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Authorized emergency vehicles**
- reflective triangles or reflectors, requirements, 61-9-411, 61-9-412
- state-owned
  - emergency purchase, 2-17-403
  - use by public employees, 2-17-421

EMERGENCIES AND EMERGENCY POWERS (Continued)

Municipal commission-manager government, 7-3-4325, 7-3-4326, 7-3-4434, 7-3-4463, 7-3-4465, 7-3-4466
Mutual aid
  fire protection agreements, 7-3-1345, 7-33-2108, 7-33-2202, 7-33-4112; Title 10, chapter 3, part 11
  interstate, See **Interstate emergency services mutual aid**; **Interstate Mutual Aid Compact**
National banks, closure during, 32-1-561 — 32-1-565
Natural resources, fire protection, 76-11-101
9-1-1 emergency telephone system, Title 10, chapter 4, parts 1 — 3
Nonprofit corporation bylaws and powers, 35-2-218
Noxious weed emergencies, 80-7-814, 80-7-815
Nuclear Compact, Title 90, chapter 5, part 2
Nuclear facilities, evacuation and medical aid plans concerning, 75-20-1204
Nursing assistance during, 37-8-103
Oil and gas
  board of oil and gas conservation, orders, 82-11-141, 82-11-151
  energy emergencies, See **Energy supply emergencies**
On-scene command and control vehicles, designation, 61-9-402, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Authorized emergency vehicles**
Pesticide registration, use, or application — orders or rules concerning, 80-8-105
Planning and plans
  dams, preparedness and warning procedures, 85-15-110, 85-15-212
  declaration of disaster or emergency, effect, 10-3-302, 10-3-303, 10-3-305, 10-3-404
  emergency resource management, 10-3-501 — 10-3-504
  energy supply emergencies, 90-4-301, 90-4-307, 90-4-308, 90-4-310
  generally, 10-3-101, 10-3-105, 10-3-301
  local, 10-3-201, 10-3-401
  nuclear facilities, evacuation and medical aid, 75-20-1204
  postattack resources management, 10-3-501 — 10-3-504
Plumbing installations, permit exceptions, 50-60-509
Police officers, retired — utilization in emergencies, 7-32-4107
Policy of state, 10-3-101, 10-3-501, 10-3-1102
Political involvement of organizations prohibited, 10-3-112
Polling places, relocation, 13-3-105, 13-3-204, 13-3-211
Postattack continuity in government, Title 10, chapter 3, part 6
Postattack resources management
  definitions, 10-3-502
  governor, powers and duties, 10-3-503, 10-3-505; Const., III, 2
  plan for, 10-3-502 — 10-3-504
  policy of state, 10-3-501
  proclamation of emergency, 10-3-505
    judicial inquiry, 10-3-506
    termination, 10-3-505
  purpose, 10-3-501
  rules and orders, 10-3-503, 10-3-505, 10-3-507
  violation of emergency rules and orders, 10-3-507
Poultry diseases, 81-20-101
Proclamation of emergency, See **Declaration of disaster or emergency**
Procurement, state, 18-4-133
Professional services contracts, nonapplicability of provisions, 18-8-211
Property, involuntary deposit, 70-6-103
Public assistance
  aid to families with dependent children (AFDC), 53-4-201, See **PUBLIC ASSISTANCE**
  postattack regulation, 10-3-505

EMERGENCIES AND EMERGENCY POWERS (Continued)

Public records, essential — protection, 2-6-206
Public safety communications officers
    appointment, termination, resignation, or death — notification, 7-31-203
    certification and employment, 7-31-203, 44-4-301
    definitions, 7-31-201, 44-4-302
    penalty, 7-31-203
    probation, term of, 7-31-203
    qualifications, 7-31-202
Purchasing, state, 18-4-133
Radioactive substances
    impoundment of materials, 75-3-402
    nuclear energy, Title 90, chapter 5, part 2
    orders and rules, 75-3-403
Radiologic procedures, temporary permits to perform, 37-14-306
Red Cross, cooperation with, 10-3-202
Renewable resource preservation, use of environmental contingency account, 75-1-1101
Resources management, See **Postattack resources management**
Rural fire districts, emergency response equipment, 7-33-2109
Rural fire service areas, emergency response equipment, 7-33-2402
Rural special improvement districts, repairs, 7-12-2183
Sanitarians, epidemiological investigations — response to, 37-40-101
Savings banks, closure during, 32-1-561 — 32-1-565
School districts
    budget amendment tax levy, 20-9-168
    earthquake emergency plans and procedures, 20-7-1101
    elementary, creation, 20-6-216
School elections, cancellation, 20-20-108
Schools
    closure, See **SCHOOL FINANCE, Emergency school closure**
    hours in school week, reduction, 20-1-302
    saturdays, pupil instruction on, 20-1-303, 20-3-106
School trustee meetings, effect on, 20-3-322
Seats of government, relocation
    local, 10-3-608
    state, 10-3-607; Const., III, 2
State building repairs or alterations, authorization, 10-3-311, 18-2-102
State lands, recreational use — closure of land, 77-1-804
State services, disruption, 10-3-103, See this main category generally
Statute of limitation, effect of war upon, 27-2-403
Streambed alteration projects, 75-7-113, 75-7-122
Stream protection, applicability of construction projects, 87-5-506
Succession in office, Title 10, chapter 3, part 6, See **Continuity of government**; See also **GOVERNOR, Succession**
Tactical incident assistance, 10-3-701 — 10-3-705, See **PEACE OFFICERS**
Taxation
    levy for, 10-3-405, 15-10-412
    property taxes, effect on, 15-16-611, 15-16-612
Teachers, authorization, See **TEACHERS, Emergency authorization**
Telecommunications, 10-3-106; Title 10, chapter 4, parts 1 — 3
Telephones
    9-1-1 emergency system, Title 10, chapter 4, parts 1 — 3
    use, restrictions during, 45-8-114
Temporary housing for victims, 10-3-103, 10-3-313
Termination
    energy supply emergency, 90-4-310

EMERGENCIES AND EMERGENCY POWERS (Continued)
Termination (Continued)

proclamation or declaration, of
  local, 10-3-402 — 10-3-404
  postattack, 10-3-505
  state, 10-3-104, 10-3-302, 10-3-303
Timber
  permits for removal, 77-5-212
  sales, 77-5-201
Trust companies, closure during, 32-1-561 — 32-1-565
Underground storage tank installers, permits, 75-11-212
University students' rooms, entry, 20-25-513
Utilities
  regulation, 10-3-505
  underground facilities, excavations near — emergency repairs, 69-4-501, 69-4-506
Vacancies in government, Title 10, chapter 3, part 6, See **Continuity of government**; See also **GOVERNOR, Succession**
Vehicles, emergency, See **EMERGENCY MEDICAL SERVICES, Ambulances; MOTOR VEHICLES AND TRAFFIC REGULATIONS, Authorized emergency vehicles**
Vessels, authorized emergency — use of sirens, 23-2-521
Violations
  armed persons, bringing into state, 45-8-106
  energy supply emergency provisions, 90-4-319
  false alarm of, 45-7-204
  postattack resources management rules and orders, 10-3-507
  telephones, use restrictions, 45-8-114
Water
  agricultural chemical ground water protection
    investigations and inspections, 80-15-401
    management plans, 80-15-217
    orders or rules, 80-15-405
    procedures, rules, 80-15-105
  appropriations, 85-2-113, 85-2-328
  commissioners, authority, 85-5-203, 85-5-302
  dams, See **Dams**
  drainage districts, 85-8-367, 85-8-368
  environmental contingency account, use, 75-1-1101
  irrigation districts, emergency expenditures, 85-7-2001
  pollution
    energy emergencies, suspension of controls, 90-4-310
    reduction or discontinuance, 75-5-507, 75-5-614, 75-5-621, 75-5-622
  renewable resource grants and loan projects, 85-1-605
  state projects, emergency improvements, 85-1-206, 85-1-219
Weather modification and control activities
  declaration, 85-3-424
  exemption from licensing and permit provisions, 85-3-202
  expenditures, 85-3-423
Wreckage removal, 10-3-315
Workers' compensation, temporary worker, 39-71-116
Youth court, placement of youth, 41-5-526, 41-5-528

EMERGENCY MEDICAL SERVICES
Access to places of business, 50-6-313
Administration, 50-6-102, 50-6-323
Administrative enforcement, 50-6-316, 50-6-327
Advisory committee, 50-6-324
AIDS, exposure — testing provisions, 50-16-702, 50-16-1007

EMERGENCY MEDICAL SERVICES (Continued)

"Aircraft" defined, 50-6-302, See **Ambulances**
Ambulances, 50-6-302, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Authorized emergency vehicles**
  approach of, operation of vehicles upon, 10-1-602, 61-8-346
  audible and visual signals, 61-8-107, 61-8-346, 61-9-401, 61-9-402
  "authorized emergency vehicle" defined, 61-1-119
  complaints, 50-6-323
  decertification when, 50-6-327
  flashing lights, 61-9-226, 61-9-402
  local government services
    authorization, 7-34-101
    certain services unaffected, 7-34-104
    manner of providing, 7-34-103
    tax levy permitted, 7-34-102, 15-10-412
  military right-of-way not to interfere with, 10-1-602
  motor carrier laws, exemption, 69-12-102
  on-scene command and control vehicles, designation, 61-9-402
  public officers and employees, exceptions, 61-8-106, 61-9-106
  public safety communications officers, 7-31-201 — 7-31-203, 44-4-301, 44-4-302
  service districts, Title 7, chapter 11, part 11, See **INTERLOCAL COOPERATION, Multijurisdictional service districts**
  services, utilization reviews, Title 33, chapter 32, See **INSURANCE, DISABILITY, Utilization reviews**
  sirens, whistles, or bells, 61-8-346, 61-9-401, 61-9-402
  traffic regulations, exemptions, 61-8-107, 61-8-201
  traffic safety program, purpose, 61-2-101, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Traffic safety program**
  warning lamps, 61-9-226, 61-9-402
  window tinting or sunscreening standards, nonapplicability, 61-9-405
Anatomical gift donors, search for document of gift or evidence of refusal, 72-17-213
Cardiopulmonary resuscitation, do not resuscitate, 50-10-101 — 50-10-107
Certificate of need, issuance, 50-5-302, 50-5-308
Civil penalties, 50-6-316
Classification of types and levels, 50-6-323
Communicable disease, exposure to, See **Infectious disease, exposure to**
Complaints, 50-6-323, 50-6-324
Compliance with provisions, 50-6-306, 50-6-313, 50-6-326
Cooperative agreements, 50-6-103, 50-6-104, 50-6-304
Correction of violations, 50-6-308, 50-6-327
CPR, do not resuscitate identification, 50-10-101 — 50-10-107
Criminal penalties, 50-6-316
Definitions, 50-6-202, 50-6-302, 50-9-102, 50-10-101, 50-16-701
Designated officer, infectious disease — notification requirements, 50-16-701, 50-16-711
Developmentally disabled persons
  report of abuse, neglect, or exploitation required, 52-3-811, See **DEVELOPMENTALLY DISABLED PERSONS, Abuse, neglect, or exploitation**
  transfers for, 53-20-127
Do not resuscitate identification, 50-10-101 — 50-10-107
Drug dispensation by medical practitioners, 37-2-104, 50-6-203, 50-32-208
Duplication of effort, avoidance, 50-6-104
Elderly person's abuse, neglect, or exploitation — report required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Emergency medical technicians (EMT's)
  applicability of laws, 50-6-207
  certification, 50-6-202, 50-6-203

EMERGENCY MEDICAL SERVICES (Continued)
Emergency medical technicians (EMT's) (Continued)

- consent, 50-6-206
- construction of laws, 50-6-207
- definitions, 50-6-202, 50-9-102
- do not resuscitate identification, 50-10-101 — 50-10-107
- drugs, administration, 50-6-203
- fetal deaths, reporting, 46-4-114
- good faith, actions in, 50-6-206, 50-9-204
- infectious disease, exposure to, 50-16-701 — 50-16-705, 50-16-711
- interstate emergency services, Title 10, chapter 3, part 11, See **EMERGENCIES AND EMERGENCY POWERS, Interstate emergency services mutual aid**
- legislative findings, 50-6-201
- liability, 50-6-206, 50-9-204, 50-10-102
- living will declarants, responsibility to, 50-9-102, 50-9-104, 50-9-204
- medical examiners, board of — certification by, 50-6-202, 50-6-203
- midwives, direct-entry — licensing provisions, effect, 37-27-104
- purpose of provisions, 50-6-201
- rulemaking authority, 50-6-203
- training, 50-6-202, 50-6-203

Energy supply emergencies, 90-4-307
Enforcement of provisions, 50-6-313, 50-6-315, 50-6-316, 50-6-327
Equipment, 7-34-103, 50-6-313, 50-6-323
Establishment of programs, 50-6-102
Evidence, production, 50-6-314
Exposure to infectious disease, See **Infectious disease, exposure to**
False alarm of, 45-7-204
Federal air transportation services, exclusion, 50-6-302
Fines for violations, 50-6-316
Fire service areas, rural — services and equipment, 7-33-2402
Funding, 7-34-102, 50-6-103, 50-6-304
Gifts, grants, and donations, 50-6-103, 50-6-304
Good faith actions, 41-1-405, 50-6-206, 50-9-204, 50-16-704
Good Samaritan Law, 27-1-714, 37-3-103, 41-1-405, 50-6-206
Hazardous chemical emergencies, chemical identity provided, 50-78-205
Hazardous material incidents, recovery of costs, 75-10-716, 75-10-717
Health care facilities

- AIDS, exposure — testing provisions, 50-16-702, 50-16-1007
- certificate of need, issuance, 50-5-302, 50-5-308
- closure, when, 53-6-107
- defined, 50-16-701
- directory information, 50-16-504
- energy supply emergencies, effect, 90-4-307
- infectious disease, exposure to
  - AIDS, testing provisions, 50-16-702, 50-16-1007
  - definitions, 50-16-701
  - designated officer for tracking, 50-16-711
  - notification of precautions, 50-16-703 — 50-16-705
  - physicians, information from, 50-16-703
  - report to facility, 50-16-702, 50-16-703, 50-16-705

Health care information, disclosure for, 37-27-310, 50-16-603
Health maintenance organizations, emergency care provisions, 33-31-201, 33-31-301
Health service corporation coverage, See **HEALTH SERVICE CORPORATIONS**, generally
Hearings, 50-6-103, 50-6-310, 50-6-323, 50-6-325, 50-6-327
HIV-related condition, exposure — testing provisions, 50-16-702, 50-16-1007
Hospital district provisions, effect, 7-34-2131

EMERGENCY MEDICAL SERVICES (Continued)

Identification of types and levels, 50-6-323
Infectious disease, exposure to
- confidentiality, 50-16-704
- definitions, 50-16-701
- designated officer to track, 50-16-711
- designation of infectious disease, 50-16-701, 50-16-705
- disclosure of persons involved, 50-16-704
- AIDS, testing provisions, 50-16-702, 50-16-1007
- notification of precautions, 50-16-703 — 50-16-705
- physicians, information from, 50-16-703
- report, 50-16-702, 50-16-703, 50-16-705
- rules, 50-16-701, 50-16-704, 50-16-705

Injunction, 50-6-316, 50-6-326
Inspections, 50-6-313
Insurance
- disability, preferred provider agreements — payment and services, 33-22-1703, 33-22-1705
- emergency medical service coverage, 50-6-323

Interstate services, Title 10, chapter 3, part 11, See **EMERGENCIES AND EMERGENCY POWERS, Interstate emergency services mutual aid**
Investigations, 50-6-313, 50-6-323
Justice, Department of
- cooperative agreements, 50-6-104
- rulemaking authority, 50-6-203

Legislative findings, 50-6-101, 50-6-301
Liability, 27-1-714, 27-1-734, 37-27-311, 50-6-317, 50-9-204, 50-10-102, 50-16-704
- emergency medical technicians, 50-6-206, 50-9-204, 50-10-102
- limitations, 27-1-714

Licenses
- appeals, 50-6-325
- applications, 50-6-306, 50-6-307
- cancellation, 50-6-308, 50-6-310, 50-6-311, 50-6-323
- denial, 50-6-310, 50-6-323
- discrimination in issuance prohibited, 49-3-204
- fees, 50-6-306, 50-6-307
- hearings, 50-6-310, 50-6-325
- issuance, 49-3-204, 50-6-323
- nontransferable, 50-6-306
- notices concerning, 50-6-310, 50-6-311, 50-6-325
- renewal, 50-6-306, 50-6-307, 50-6-323
- required, 50-6-306, 50-6-324
- return to department when, 50-6-311
- revocation of waiver, 50-6-325
- standards, 50-6-323
- term, 50-6-306
- waiver of requirements, 50-6-324, 50-6-325

Living will declarants, responsibility concerning
- definitions, 50-9-102
- do not resuscitate identification, 50-10-101 — 50-10-107
- immunities, 50-9-204
- protocol, 50-9-102, 50-9-204
- revocation, witness to, 50-9-104

Medical control, 50-6-302, 50-6-317, 50-6-323
Midwives, direct-entry
- disclosure of information, 37-27-310
- educational requirements, 37-27-201

EMERGENCY MEDICAL SERVICES (Continued)
Midwives, direct-entry (Continued)

    health care providers, care to patients of — liability, 27-1-734, 37-27-311
    practice of, effect, 37-27-104
Minors, 41-1-402, 41-1-405, 41-1-406
Motor vehicles, See **Ambulances**; See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Authorized emergency vehicles**
Mutual aid agreements, Title 10, chapter 3, part 11, See **EMERGENCIES AND EMERGENCY POWERS, Interstate emergency services mutual aid**
Negligence, 50-6-317
9-1-1 emergency telephone system advisory council, recommendations for membership, 10-4-102
Nontransporting medical units, 50-6-302
Nuclear facilities, medical aid plans, 75-20-1204
Nursing assistance during emergencies, 27-1-734, 37-8-103, 37-27-311, 50-6-317, 50-78-205
Off-line medical directors, 50-6-302, 50-6-317
Operation, 50-6-301, 50-6-323
Orders
    compliance, 50-6-326
    corrective action, for, 50-6-327
    issuance, 50-6-324
    violation, 50-6-308, 50-6-315, 50-6-316
Organ donors, search for document of gift or evidence of refusal, 72-17-213
Patient care, 50-6-302, 50-6-323
    midwives, patients of — providing care to, 27-1-734, 37-27-311
    "patient" defined, 50-6-302, 50-16-701
    waiver of licensing requirements, effect, 50-6-325
Penalties for violations, 50-6-316
Pharmacies, transfer of prescription drugs, 37-7-602
Postattack regulation, 10-3-505
Providers
    AIDS, exposure — testing provisions, 50-16-702, 50-16-1007
    complaints concerning, 50-6-323
    control and regulation, 50-6-301
    inspection, 50-6-301
    interstate emergency services, Title 10, chapter 3, part 11, See **EMERGENCIES AND EMERGENCY POWERS, Interstate emergency services mutual aid**
    medical control, 50-6-302, 50-6-317, 50-6-323
Public safety communications officers, 7-31-201 — 7-31-203, 44-4-301, 44-4-302
Purpose of provisions, 50-6-101, 50-6-301
Records, 50-6-313, 50-6-323
Regulation, 10-3-505, 50-6-301, 50-6-323
Reports
    infectious disease, of exposure to, 50-16-702, 50-16-703, 50-16-705
    owners or operators concerning compliance, to, 50-6-313
Respiratory care practitioner provisions, 37-28-102, 37-28-201
Restraining orders, 50-6-326
Restriction on use when, 50-6-327
Rules
    advisory committee, establishment — for, 50-6-324
    ambulance services, 7-34-103
    compliance, 50-6-306, 50-6-326
    emergency medical technicians, 50-6-203
    infectious disease, exposure to, 50-16-705
        designation of disease, 50-16-701, 50-16-705
        disclosure of persons involved, 50-16-704

EMERGENCY MEDICAL SERVICES (Continued)
Rules (Continued)

  inspections, for, 50-6-313
  prescribing and enforcement, 50-6-323
  violation, 50-6-308, 50-6-315, 50-6-316, 50-6-327
Rural fire service areas, services and equipment, 7-33-2402
Senior citizen's abuse, neglect, or exploitation — report required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Standards, 50-6-301, 50-6-323
Subpoenas, 50-6-314
Supervision, 50-6-323
Training
  emergency medical technicians, 50-6-202, 50-6-203
  midwives, direct-entry, 37-27-201
Tuberculosis, emergency detainment of person when, 50-17-115
Vehicles, See **Ambulances**; See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Authorized emergency vehicles**
Violations
  cancellation of license, 50-6-308
  corrective action, 50-6-308, 50-6-327
  false alarm of, 45-7-204
  infectious disease, exposure to — disclosure of persons involved, 50-16-704
  injunction, 50-6-326
  notice, 50-6-327
  penalties, 50-6-316
  prosecution, 50-6-315
Volunteer personnel
  infectious disease, exposure to, 50-16-701 — 50-16-705
  red light on private vehicle, use, 61-9-227
Waiver of licensing requirements, 50-6-324, 50-6-325
Witnesses, 50-6-314
X-ray procedures, temporary permits to perform, 37-14-306

EMINENT DOMAIN
Abandonment of property acquired for public use, 70-30-321, 70-30-322
  oil and gas reservoirs, 70-30-104
Acquisition of property by, 70-1-205
Airports, See **AIRPORTS AND LANDING FIELDS**
Annulment of proceedings, 70-30-308
Answer, 70-30-202
Appeals, 70-30-312
  assessment, from, 70-30-304, 70-30-311
  compensation interest, basis on, 70-30-302
  logging roads, damages to occupant, 70-30-109
Applicability of laws, 70-1-205, 70-30-101
  airport property, acquisition, 67-10-221, 67-11-231, 67-11-401
  appeals, 70-30-312
  cemetery associations, 35-20-104
  evidence, 70-30-201
  execution, 70-30-308
  federally assisted agency acquisitions, 70-31-103, 70-31-104
  mining property, 82-2-221
  private land, to, 70-30-103
  procedure, 70-30-201
  report of commissioners, service, 70-30-303
  roads and streets, 70-30-108
  water conservation project acquisitions, 76-5-1108

EMINENT DOMAIN (Continued)

Assessment or award, See **Compensation of condemnees; Value of property**
Cemeteries, acquisition by, 7-35-2201
Cemetery associations, power, 35-20-104
Cities and towns
  highway authorities within, 7-14-101
  parking areas, 7-14-4501
  power of, 7-1-4124, 7-3-4434, 7-7-4404, 7-15-4258, 7-15-4259, 76-5-1108
  uses, defined as public use, 70-30-102
  water rights, 7-7-4404, 7-13-4405
  water supply systems, 7-13-4404 — 7-13-4406
City or town councils, powers, 7-5-4106, 7-14-4501, 7-14-4801, 7-16-4106
Coal mining, 70-30-102, 70-30-106, See also **MINES AND MINING**
Commencement of action, 70-30-202
Commissioners, See **Condemnation commissioners**
Compensation of condemnees
  accrual of right when, 70-30-302
  appeal from, 70-30-304, 70-30-311
  claim of just compensation, 70-30-207, 70-30-311
  commissioners to determine, 70-30-207
  costs and attorneys' fees, Const., II, 29, See **Costs**
  deposit in court, 70-30-308
  devise, nonademption, 72-2-616
  duplication not intended, 70-31-105, 70-31-305
  execution, 70-30-308
  federally assisted agency acquisitions, 70-31-105, 70-31-301 — 70-31-305
  gas storage reservoirs, when condemnation for, 70-30-206
  improvements, effect, 70-30-302, 70-31-305
  income, not to be considered as, 70-31-106
  interest upon, 70-30-302, 70-30-304
  just compensation, Const., II, 29
  manner of payment, 70-30-308
  necessary expenses of litigation included, Const., II, 29, See **Costs**
  possession, effect on, 70-30-311
  principal and income determinations, 72-34-404
  relocation, 70-31-102, 70-31-105, 70-31-106, 70-31-311
  value, basis on, 70-30-302
  when, 70-30-307
Complaint, 70-30-202, 70-30-203
Condemnation commissioners, 70-30-207, 70-30-301, 70-30-303
  compensation of condemnees, determination by, 70-30-206, 70-30-207
  report of, 70-30-303, 70-30-304
Costs
  appeal, 70-30-304, 70-30-311
  commissioners, assistants to, 70-30-206
  federally assisted programs, 70-31-302 — 70-31-304
  judgment, inclusion, 70-30-304; Const., II, 29
  "necessary expenses of litigation" defined, 70-30-306
  offer of judgment, effect, 70-30-305, 70-30-306
Counties
  power of, 7-16-2105, 76-5-1108
  uses, defined as public use, 70-30-102
County Commissioners, Board of — power, 7-14-2123, 7-14-2803, 7-14-2804, 7-35-2201
County roads
  materials, acquisition, 7-14-2123
  right-of-way, 7-14-2108

EMINENT DOMAIN (Continued)
County roads (Continued)

- stock lanes, 7-14-2621

County water and/or sewer district projects, acquisition of property, 7-13-2218
Court

- commissioners, nomination, 70-30-207
- hearing, judge to preside, 70-30-301
- powers generally, 70-30-206

Damages

- appeal, bond or undertaking for, 70-30-311
- federally assisted programs, 70-31-301
- gas storage reservoirs, for, 70-30-206
- logging roads, temporary — for, 70-30-109

Defect in title, effect, 70-30-310
Definitions, 70-30-101, 70-30-306, 70-31-102
Deposit in court, 70-30-308, 70-31-301
Development corporations, by — prohibited, 32-4-201
Due process, Const., II, 17
Estates in land subject to, 70-30-104
Evidence, 70-30-111

- commissioners to hear, 70-30-301
- offer of judgment, inadmissible, 70-30-305

Execution on assessment, 70-30-308
Facility siting construction, as defined by "commence to construct", 75-20-104
Federal enclaves, jurisdiction, 2-1-201
Federally assisted agency acquisitions

- abandonment of proceedings, 70-31-304
- applicability of laws, 70-31-103, 70-31-104
- appraisal of property, 70-31-102, 70-31-301, 70-31-303, 70-31-304
- attorneys' fees, 70-31-304
- closing costs, 70-31-302
- coercion, 70-31-301
- compensation
  - abandonment or dismissal of proceedings, upon, 70-31-304
  - determination, 70-31-301, 70-31-302
  - duplication not intended, 70-31-105, 70-31-305
  - improvements, effect, 70-31-305
  - inverse proceedings, upon, 70-31-303
  - relocation, 70-31-102, 70-31-105, 70-31-106, 70-31-311
- construction scheduling, 70-31-301
- costs, 70-31-302 — 70-31-304, 70-31-311
- damages, 70-31-301
- definitions, 70-31-102
- deposit in court, 70-31-301
- development scheduling, 70-31-301
- dismissal of proceedings, 70-31-304
- duplication of compensation, 70-31-105, 70-31-305
- formal proceedings required when, 70-31-301
- improvements, effect, 70-31-305
- inverse proceedings, 70-31-303
- negotiation for property encouraged, 70-31-301
- possession, surrender when, 70-31-301
- prepayment penalty costs, 70-31-302
- public use, defined as, 70-30-102
- purpose of provisions, 70-31-101
- relocation of condemnees, Title 70, chapter 31
- remnant property, 70-31-301

EMINENT DOMAIN (Continued)
Federally assisted agency acquisitions (Continued)

  taxes, 70-31-302
Ferries and wharves, 7-14-2803, 7-14-2804, 7-14-2829, 70-30-102, 70-30-103
Final order, 70-30-309
Findings of fact required, 70-30-111, 70-30-203
Fish, Wildlife, and Parks — Department of
  limitation, 23-1-102, 87-1-209
  prohibited when, 23-2-103, 87-1-703, 87-1-709
Flood control projects, acquisition of property for, 70-30-104, 76-5-1108, 76-5-1111
Fort Peck Dam, jurisdiction, 2-1-209
Gas
  pipes for local service, defined as public use, 70-30-102
  storage reservoirs, See **OIL AND GAS, Natural gas**
Greatest public good, 70-30-110
Hazardous or deleterious substance, remedial action upon release
  condemnation to mitigate, 75-10-720
  release by facility, acquisition of facility and liability, 75-10-715
Hazardous structures, for removal, 7-1-4124, 7-15-4259, 50-62-103 — 50-62-107
Hearing, 70-30-207, 70-30-301
Highways, land acquired for, See **HIGHWAYS, Acquisition of property**
Homesteads taken by, execution exemption for traceable proceeds, 70-32-216
Housing authorities, municipal, 7-15-4460 — 7-15-4462
Improvements
  assessment, effect on, 70-30-302
  federally assisted programs, 70-31-305
Industrial development projects — acquisition of sites by, prohibited, 90-5-102
Irrigation districts, 85-7-1904
  commissioners' power, 85-7-1904
  navigational rights do not abridge right of eminent domain, 85-7-1932
  prohibitions, 85-7-1411
  use of water for irrigation a public use, 85-7-1931
Judgment, 70-30-304, 70-30-305
Junkyard screening, land for, 75-15-223
Jurisdiction of courts
  district court, 70-30-102, 70-30-202, 70-30-207, 70-30-304
  supreme court, 70-30-312
Jury trial, 70-30-107, 70-30-304
Just compensation required, Const., II, 29, See **Compensation of condemnees**
Least private injury, 70-30-110
Limitation by court, 70-30-206
Local government, mandatory provisions, 7-1-114
Logging roads and railways, 70-30-102, 70-30-109
Mining claims, See **MINES AND MINING**
Motor vehicle graveyards and wrecking facilities, land for, 75-15-223
Natural areas, land acquired for — when, 76-12-108, 76-12-110
Natural gas
  pipes for local service, defined as public use, 70-30-102
  storage reservoirs, See **OIL AND GAS, Natural gas**, underground storage reservoirs
New proceedings, 70-30-310
Notice, 70-30-202
  appeal from assessment, 70-30-304
  offer of judgment, acceptance, 70-30-305
  relocation, 70-31-102, 70-31-301
  report, filing, 70-30-303
  sale of property abandoned from public use, 70-30-321
  survey and location, 70-30-110

EMINENT DOMAIN (Continued)

Offer of judgment, 70-30-305
Offer to obtain property prerequisite to condemnation, 70-30-111
Open-space lands, acquisition by, 76-6-105
Orders
  final, 70-30-309
  possession, 70-30-311
  preliminary, 70-30-202, 70-30-206
Outdoor advertising and property rights, acquisition, 75-15-123
Park Commissioners, County Board of — power of, 7-16-2321
Parking commissions, powers of, 7-14-4622, 7-14-4626
Parks, state — acquisition of sites and objects by, 23-1-102
Parties, 70-30-109, 70-30-203
Personal property subject to, 70-1-205
Personal representative's power to dedicate property to public use, 72-3-613
Pipeline carriers, power of, 69-13-104
Possession to plaintiff, 70-30-311
  federally assisted programs, 70-31-301
  restoration to defendant, 70-30-308
Preliminary order for, 70-30-202, 70-30-206
Preliminary proceeding, 70-30-206
Private individual, exercise by, 70-1-205
Private property subject to, 70-30-103
Procedure, Title 70, chapter 30, parts 2 and 3
Public assistance purposes, for, 53-2-201
Public uses, 70-1-205
  abandonment, 70-30-321, 70-30-322
  enumeration, 70-30-102
  greatest public good, 70-30-110
  reappropriation to another use, 70-30-103, 70-30-111
Rail authority, property acquisition and limitation, 7-14-1625
Railroads
  cattle guards or fences, 70-30-301, 70-30-307
  connections and crossings, determination, 70-30-206
  power of, 69-14-513, 69-14-536, 69-14-552
  public use, defined as, 70-30-102
Relocation of condemnees
  advisory services, 70-31-102
  applicability of laws, 70-31-101, 70-31-103, 70-31-104
  compensation, 70-31-311
    duplication not intended, 70-31-105
    income, payments not to be considered as, 70-31-106
    moving expenses, 70-31-102
  construction scheduling, 70-31-301
  definitions, 70-31-102
  federal assistance, applicability of laws, 70-31-103, 70-31-311
  federal law, compliance with, 70-31-101, 70-31-311
  purpose of provisions, 70-31-101
  rulemaking authority, 70-31-111, 70-31-311
Reversion
  abandonment of public use, reversion to owner or successor in interest, 70-30-321, 70-30-322
  logging roads, temporary — land taken for, 70-30-109
Rights in land, subject to, 70-30-104
Rights-of-way, 70-30-103, 70-30-203

EMINENT DOMAIN (Continued)

Roads
    jury determination, 70-30-107
    logging roads, 70-30-102, 70-30-109
    public use, defined as, 70-30-102
    subject to, 70-30-103, 70-30-107, 70-30-108
Sale of property acquired for public use when abandoned, 70-30-321, 70-30-322
Service of process, 70-30-302 — 70-30-304
Set aside, 70-30-308
Social and Rehabilitation Services, Department of — power, 53-2-201
State
    right of eminent domain, 70-1-202, 70-1-205, 70-30-101
    use as public use, 70-30-102
Stay of proceedings on appeal, 70-30-312
Streets, See **Roads**
Summons, 70-30-202
Surety bonds, 70-30-307, 70-30-311
Surveys of property, 70-30-110
Taxes
    proration, 70-30-315
    transfer taxes, reimbursement, 70-31-302
Title
    defective, 70-30-310
    vests in plaintiff when, 70-30-309
Trial
    appeal from assessment, 70-30-304
    court, by, 70-30-206
    roads, private — condemnation of, 70-30-107
Undertakings and surety bonds, 70-30-307, 70-30-311
Urban renewal, 7-15-4204, 7-15-4258, 7-15-4259
Utilities
    mains, construction by county — applicability of provisions, 7-13-2104
    public use, defined as, 70-30-102
    rural cooperatives, power, 35-18-106
Value of property, 70-30-301, 70-30-302, 70-30-313
Venue, 70-30-202
Waiver of appointment of commissioners and hearing, 70-30-207
Water
    conduction of water over land, right to necessary land as public use, 85-2-414
    conservation projects, acquisition of property for, 76-5-1108
    natural resources and conservation, department of — authority, 85-1-204, 85-1-209
    pipes, defined as public use, 70-30-102
    public use, 85-2-101, 85-7-1931; Const., IX, 3
    state projects for, 85-1-208
    state waters, rights to natural flow, 85-1-204
Water conservancy districts, right of, 85-9-101, 85-9-410
Water supply and sewer districts, acquisition of private water supply system, 7-13-3041
Water supply systems in cities and towns, 7-13-4404 — 7-13-4406
Weed control responsibility, 70-30-314
Wharves, defined as public use, 7-14-2803, 7-14-2804, 7-14-2829, 70-30-102
Yellowstone River Compact, 85-20-101

EMPLOYEE AND COMMUNITY HAZARDOUS CHEMICAL INFORMATION ACT,
    Title 50, chapter 78
    See **HAZARDOUS CHEMICALS**

EMPLOYEE OWNERSHIP OPPORTUNITY ACT, Title 90, chapter 5, part 3
  See **LABOR AND EMPLOYMENT**

EMPLOYMENT
  See **LABOR AND EMPLOYMENT**

EMPLOYMENT AGENCIES AND OFFICES
Administration, 39-5-103, 39-5-205
Advertising, 39-5-102, 39-5-304, 49-2-303
Applicability of laws, 39-5-102
  exclusions, 39-5-102
  exclusive applicability, 39-5-104
  local government authority, 39-5-105
Athletes, agents for — exclusion from provisions, 39-5-102
Bond of agency, 39-5-206
Citation of Employment Agency Act, 39-5-101
Commerce, Department of — authority
  administration, 39-5-103, 39-5-205
  complaints, forwarding to
    agency, 39-5-402
    county attorney, 39-5-401, 39-5-403
    prosecution, 39-5-403
  contracts, approval, 39-5-303
  defined, 39-5-102
  licensing
    application to, 39-5-202
    denial, suspension, or revocation by, 39-5-203, 49-3-204
    fees, 39-5-204, 39-5-205
    surety bond, requirements, 39-5-206
    transfer, consent, 39-5-209
  placement fees
    disapprove, may not, 39-5-303
    refund, demand, 39-5-311
  records, rules for retention, 39-5-301
  rulemaking authority, 39-5-103, 39-5-203, 39-5-301
Complaints against, 39-5-401 — 39-5-403, See also **Violations**
Confirmation of job opening required, 39-5-307
Contracts
  approval by department, 39-5-303
  blank spaces, 39-5-302
  compliance required for fee, 39-5-308
  contents, 39-5-302
  disapproval by department, 39-5-303
  fee schedule in, 39-5-302, 39-5-303
  form to accompany license applications, 39-5-202
  license applications, form to accompany, 39-5-202
  notice to applicant, 39-5-302
  records, 39-5-301
  required, 39-5-302
Criminal charges, See **Violations**
Definitions, 39-5-102
Discharge of employee, agency not to solicit, 39-5-305
Discriminatory practices, See **DISCRIMINATION, Employment**
Employment Agency Act, Title 39, chapter 5
Enforcement, See **Violations**

EMPLOYMENT AGENCIES AND OFFICES (Continued)

Evidence of violations, 39-5-403
Exclusions from provisions, 39-5-102
Exclusive applicability of laws, 39-5-104
Fair Practices, Code of, Title 49, chapter 3, See **DISCRIMINATION**, **Government, state and local**
False advertising, 39-5-304
False statement of licensee, 39-5-203
Fees
  application, prohibited, 39-5-308
  licensing of agency, 39-5-204
    disposition, 39-5-205
  placement of applicant
    amount, 39-5-303
    contract
      compliance prerequisite to, 39-5-308
      statement in, 39-5-302, 39-5-303
    defined, 39-5-102
    determination, 39-5-303
    employer, sharing of fees with prohibited, 39-5-312
    excessive, 39-5-311
    prohibited when, 39-5-308
    rate, 39-5-303
    record, 39-5-301
    reduction, 39-5-311
    refund, 39-5-301, 39-5-311
    two agencies, referral by, 39-5-310
  prohibited when, 39-5-308
  registration of applicant, prohibited, 39-5-308
Fraud by licensee, 39-5-203
Injunction of business, 39-5-403, 39-5-405
Job Service, See **LABOR AND EMPLOYMENT**, **Employment service, state**
Jurisdiction over nonresidents, 39-5-406
Labor disputes, referral of applicant where one exists prohibited, 39-5-306
Labor unions, exclusion from provisions, 39-5-102
Laws applicable, See **Applicability of laws**
Licensing of agency
  application, 39-5-202, 39-5-204
  bond required, 39-5-206
  branch license, 39-5-204
  contract form to accompany application, 39-5-202
  criminal charges for failure, 39-5-201
  denial, 39-5-203
  discrimination in issuance prohibited, 49-3-204
  display, 39-5-207
  expansion of business, 39-5-209
  expiration of license, 39-5-208
  failure to license, 39-5-201
  false statement by licensee, 39-5-203
  fees, 39-5-204, 39-5-205
  fraud by licensee, 39-5-203
  local authority not affected, 39-5-105
  renewal, 39-5-202, 39-5-204
  required, 39-5-201
  revocation, 39-5-203
  suspension, 39-5-203

EMPLOYMENT AGENCIES AND OFFICES (Continued)
Licensing of agency (Continued)

transfer, 39-5-204, 39-5-209
Local government authority, 39-5-105
Musical booking services, exemption from provisions, 39-5-102
Nonresidents, jurisdiction, 39-5-406
Offenses, See **Violations**
Opening, reconfirmation prior to referral, 39-5-307
Placement fees, 39-5-102, See **Fees**, placement of applicant
Prohibited acts, See **Violations**
Quitting, soliciting by agency prohibited, 39-5-305
Records, 39-5-301
Restraint of operations, 39-5-403
Rulemaking authority, 39-5-103
  noncompliance, 39-5-203
Scope of laws, See **Applicability of laws**
Service of process, 39-5-406
Short title, 39-5-101
State employment service, See **LABOR AND EMPLOYMENT**, **Employment service, state**
Strikes, referral of applicant where one exists prohibited, 39-5-306
Temporary service contractors, exclusion from provisions, 39-5-102
Termination of employee, agency not to solicit, 39-5-305
Unions, exclusion from provisions, 39-5-102
Unlawful practices, See **Violations**
Violations
  complaint, forwarding to
    agency, 39-5-402
    county attorney, 39-5-401
  discontinuance, assurances, 39-5-404
  jurisdiction over nonresidents, 39-5-406
  license, transacting business without, 39-5-201
  penalty for violation of court order, 39-5-405
  prosecution, 39-5-403
  service of process, 39-5-406

ENABLING ACT
Agricultural land owned by state, foreclosed — nonapplicability of right of immediately preceding owner, 25-13-902
Capitol building construction, revenue from land grant, 18-2-107
Constitution of Montana does not abrogate, Const., I
Natural areas, uses consistent with, 76-12-103, 76-12-121
Publication with Montana Code Annotated, 1-11-204
State lands, applicability, 77-1-211, 77-2-217, 77-2-302, 77-2-351, 77-2-401, 77-3-303, 77-3-401, 77-3-402, 77-3-501, 77-3-502
Text, comments, and index, Refer to Annotations to Montana Code Annotated, Vol. 1, Federal materials

ENDANGERED SPECIES CONSERVATION ACT, NONGAME AND, Title 87, chapter 5, part 1
  See **FISH AND WILDLIFE**, **Nongame and endangered species**

ENERGY
Advisory committees
  alternative energy, 90-4-104
  energy policy, Title 90, chapter 4, part 3
Agriculture, grants to promote conservation, 90-2-140
Alcohol fuel production tax incentive, Title 15, chapter 70, part 5

ENERGY (Continued)

Alternative renewable sources, Title 90, chapter 4, part 1
Atomic, Title 90, chapter 5, part 2
Audits, 69-3-711
Building codes, 50-60-201, 50-60-203, 50-60-801 — 50-60-803
Capital companies, venture capital through, 90-8-104
Coal, See **MINES AND MINING**, **Coal entries**, generally
Easements for, 70-17-101, 70-17-102, 70-17-301 — 70-17-303
Emergency regulation, 10-3-505, 90-4-304, 90-4-310
  supply emergencies, Title 90, chapter 4, part 3
Energy Policy Committee, Title 90, chapter 4, part 3
Facility Siting Act, Title 75, chapter 20
Gas, See **OIL AND GAS**
Gasoline, See **GASOLINE AND PETROLEUM PRODUCTS**
Geothermal development
  bottom-hole temperatures, availability for geothermal purposes, 82-11-125, 82-11-126
  facility siting act, Title 75, chapter 20, See **FACILITY SITING**
  injury caused by, statute of limitation, 27-2-303
  leases, Title 77, chapter 4, part 1, See **STATE LANDS**, **Geothermal resource leases**
  tax incentives, energy-related, 15-32-102, 15-32-115
Home weatherization, Title 90, chapter 4, part 2
Hydroelectric, development, See **STATE LANDS**, **Power site leases or licenses**; **WATER**, **Hydroelectric power generation**
Natural gas, See **OIL AND GAS**
Nuclear, Title 75, chapter 20; Title 90, chapter 5, part 2
Oil and gas, See **OIL AND GAS**
Oil overcharge money
  energy conservation and energy assistance account, creation and use, 90-4-215
  policy of state, 90-4-210
Pacific Northwest Electric Power and Conservation Planning Council
  appointment and term of members, 90-4-402
  compensation of members, 90-4-404
  duties, 90-4-403
  participation, 90-4-401
  public hearings required when, 90-4-405
Postattack emergency regulation, 10-3-505
Reclaimed material, production from — tax credit for investment in property used, nonapplicability, 15-32-604
Renewable sources and conservation development
  alternative energy advisory committee, 90-4-104
  alternative energy and energy conservation research development and demonstration account, 90-4-103, 90-4-104, 90-4-106, 90-4-109
  definitions, 90-4-102
  grants or loans, 90-4-101, 90-4-103 — 90-4-106, 90-4-109
  oversight by environmental quality council, 90-4-112
  powers of department of natural resources and conservation, 90-4-104
  purpose of provisions, 90-4-101
  reports, 90-4-111, 90-4-112
  rulemaking authority, 90-4-104
  state governmental unit grants, 90-4-104, 90-4-109
  tax incentives, Title 15, chapter 32
Research, Title 90, chapter 3; Title 90, chapter 4, part 1
Residential energy efficiency, Title 50, chapter 60, part 8, See **BUILDINGS AND BUILDING REGULATIONS**
Science development projects, Title 90, chapter 3

ENERGY (Continued)

Solar
- development, 90-4-102
- easements for, 70-17-101, 70-17-301, 70-17-302
- tax incentives, Title 15, chapter 32

Solid waste
- conversion, methane, 90-4-102
- recovery, Title 75, chapter 10, See **SOLID WASTE MANAGEMENT**
- tax incentives, Title 15, chapter 32

State building energy conservation program
- bonds or bond anticipation notes, 90-4-602
  - debt service, 90-4-606, 90-4-607, 90-4-612, 90-4-614
  - form, principal and interest, fiscal agent, and proceeds, 90-4-612
  - issuance, 90-4-606, 90-4-611, 90-4-612
  - trust, establishment, 72-33-108
- citation of state building energy conservation act, 90-4-601
- definitions, 90-4-602
- energy analyses, 90-4-605, 90-4-607
- energy conservation program account, 90-4-612, 90-4-613
- energy cost savings, 90-4-614
- funding of projects, 90-4-605 — 90-4-607, 90-4-611
- preparation, 90-4-605
- project recommendations, 90-4-605, 90-4-606
- retrofitting or efficiency analysis, 90-2-141

State energy policy
- definitions, 90-4-1002
- development process, 90-4-1003
- energy-related bills, energy policy analysis, 90-4-1004
- goal statement, 90-4-1001

Tax incentives for conservation, Title 15, chapter 32
Technology development projects, Title 90, chapter 3
Transloading facility, demonstration truck/train, 7-14-120
Transportation, Department of — purpose, 2-15-2505
Utilities, See **UTILITIES**
Utilities, rural cooperatives — education programs, 35-18-316
Weatherization programs, allocation of funds and sources of money, 90-4-201 — 90-4-203, 90-4-215

Wind
- development, 90-4-102
- easements for, 70-17-101, 70-17-303
- tax incentives, Title 15, chapter 32

ENGINEERS AND LAND SURVEYORS
See also **PROPERTY, REAL, Surveying**
Advertising, 37-67-102, 37-67-301

Affidavits
- charges against licensees, by, 37-67-331
- state lands, easements on, 77-2-102

Air Pollution Control Advisory Council, representation on, 2-15-2106
Alien engineers, 37-67-303, 37-67-312, 37-67-319
Architects, exemptions, 37-67-103
Board of Professional Engineers and Professional Land Surveyors, 2-15-1873; Title 37, chapter 67, part 2
Boiler operator engineers, Title 50, chapter 74, part 3
City engineer, See **CITY ENGINEER**
Collective bargaining, exclusions, 39-31-103

ENGINEERS AND LAND SURVEYORS (Continued)

Condominiums, certification of floor plan, 70-23-306
Conservancy districts, employment by, 85-9-408
Construction liens, Title 71, chapter 3, part 5, See **LIENS**
Consultant services contracts, state — nonapplicability of provisions, 18-8-103
Consulting engineers
  electric suppliers, for, 69-5-106
  state building construction, 18-2-103, 18-2-105, 18-2-111, 18-2-112, 18-8-211
Coordinate systems, Title 70, chapter 22, part 2, See **PROPERTY, REAL**
Corner Recordation Act of Montana, Title 70, chapter 22, part 1, See **PROPERTY, REAL, Corner records**
Corporations, 37-67-320, See **Registration**; See also **CORPORATIONS, Professional corporations**
County engineer, affidavit regarding easements on state lands, 77-2-102
County surveyor, qualifications, 7-4-2801, See **COUNTY SURVEYOR**
Dams and reservoirs, inspections, Title 85, chapter 15, See **DAMS AND RESERVOIRS**
Disciplinary proceedings, 37-67-320, 37-67-331
Drainage districts, for, 85-8-321
Easements on state lands, affidavit regarding, 77-2-102
Electric suppliers, consultant engineer for, 69-5-106
Emeritus status, 37-67-321
Enforcement of provisions, 37-67-332
Engineers-in-training, 37-67-101, 37-67-314, See also **Registration**
Enrollment cards for trainees, 37-67-314
Examinations, See **Registration**
Exemptions from provisions, 37-67-103, 37-67-320
Fines, 37-67-332
Foreign engineers, 37-67-303, 37-67-312, 37-67-319
Fraudulent practices, 37-67-331
Hospital districts, employment, 7-34-2122
Hours of labor, 39-4-107
Incompetency, 37-67-331
Incorporation, 37-67-320, See **Registration**; See also **CORPORATIONS, Professional corporations**
Investment advisers, exclusion as, 30-10-103
Landscape architecture, nonapplicability of provisions, 37-66-105
Land surveyors-in-training, 37-67-101, 37-67-314, See also **Registration**
Licensing, Title 37, chapter 67, part 3, See **Registration**
Liens for services, Title 71, chapter 3, part 5, See **LIENS, Construction liens**
Local registration or license fee or tax prohibited, 37-67-304
Mechanics' liens, Title 71, chapter 3, part 5, See **LIENS, Construction liens**
Metropolitan sanitary and/or storm sewer districts, 7-13-102
Misconduct, 37-67-331
Negligence, 37-67-331
Nonresidents, 37-67-303, 37-67-312, 37-67-313, 37-67-319, 37-67-320
Park Commissioners, Boards of — employment of engineers
  county, 7-16-2325
  municipal, 7-16-4224
Partnerships, 37-67-320, See also **Registration**
Passenger Tramway Safety, Board of — representation on, 2-15-1896
Plumbers, Board of — representation on, 2-15-1875
Practice of engineering, 37-67-101
  emeritus registrants, by — not allowed, 37-67-321
  partnership or corporation, by, 37-67-320
  registration, lack of, 37-67-301, 37-67-302, 37-67-332
  representation as practitioner construed as, 37-67-102

ENGINEERS AND LAND SURVEYORS (Continued)
Practice of engineering (Continued)

- temporary permit for, 37-67-319
- termination, 37-67-321

Practice of land surveying, 37-67-101
- emeritus registrants, by — not allowed, 37-67-321
- partnership or corporation, by, 37-67-320
- registration, lack of, 37-67-301, 37-67-302, 37-67-332
- representation as practitioner construed as, 37-67-102
- temporary permit for, not allowed, 37-67-319
- termination, 37-67-321

Professional conduct, violation of rules for, 37-67-331
Professional corporations, 37-67-320, See **Registration**; See also **CORPORATIONS**
Professional engineers, 37-67-101, 76-4-102, See also **Registration**
- condominiums, certification of floor plan, 70-23-306
- insurance, professional liability, See **INSURANCE, CASUALTY**
- partnership or corporation, organized as, 37-67-320
- temporary permits, 37-67-319

Professional land surveyors, 37-67-101, See also **PROPERTY, REAL, Surveying**
- condominiums, certification of floor plan, 70-23-306
- corner recordation act, effect of noncompliance, 37-67-331, See also **PROPERTY, REAL, Corner records**
- entry on land and trespass exception, 45-6-203, 70-16-111
- licensing, See **Registration**
- partnership or corporation, organized as, 37-67-320
- public projects, supervision, 18-2-121
- temporary permits not allowed, 37-67-319
- utilities, excavations near underground facilities, 69-4-502

Public projects, supervision, 18-2-121
Registration
- aliens, 37-67-303, 37-67-312
- applicability of provisions to certificates of authorization, 37-67-320
- applications, 37-67-303, 37-67-312, 37-67-315, 37-67-319 — 37-67-321
- certificates of authorization, 37-67-320
- comity or endorsement, by, 37-67-312, 37-67-313
- competency, statement, 37-67-315, 37-67-321
- corporations, certificates of authorization, 37-67-320
- denial, 37-67-303, 37-67-320
- discrimination in issuance prohibited, 49-3-204
- education requirements, 37-67-309, 37-67-310
- enrollment cards for trainees, 37-67-314
- examinations
  - cost included in application fee, 37-67-303
  - disciplinary proceedings, 37-67-331
  - licensure without, when, 37-67-312
  - passing, required, 37-67-306, 37-67-307, 37-67-309, 37-67-310
  - requirements generally, 37-67-311, 37-67-313
- experience requirements, 37-67-309, 37-67-310
- expiration, 37-1-101, 37-67-315, 37-67-320
- false or forged evidence in obtaining, 37-67-332
- fees, 37-67-303, 37-67-311, 37-67-315, 37-67-319 — 37-67-321
- fraud or deceit in obtaining, 37-67-331
- issuance of certificates, 37-67-303, 37-67-306, 37-67-307, 37-67-314, 37-67-320
- local fee or tax prohibited, 37-67-304
- lost or destroyed certificates, 37-67-316
- misuse, 37-67-332
- nonrenewal, 37-67-315

ENGINEERS AND LAND SURVEYORS (Continued)
Registration (Continued)

- nonresidents, 37-67-303, 37-67-312, 37-67-313, 37-67-319
- partnerships, certificate of authorization, 37-67-320
- practice without, 37-67-301, 37-67-302
- qualifications
  - engineers-in-training, 37-67-305, 37-67-307
  - land surveyors-in-training, 37-67-308, 37-67-310
  - professional engineers, 37-67-305, 37-67-306, 37-67-321
  - professional land surveyors, 37-67-308, 37-67-309, 37-67-321
- reciprocity, 37-67-312, 37-67-313
- reexamination, 37-67-311
- register of applicants, 37-67-204
- reissuance, 37-67-320, 37-67-331
  - emeritus registrants, 37-67-321
- renewal, 37-67-315, 37-67-320, 37-67-331
- replacement of certificates, 37-67-316
- required, 37-67-301
- revocation or suspension, 37-67-320, 37-67-331
- roster of licensees, 37-67-318
- serial numbers, 37-67-314
- temporary permits, 37-67-319

Reservoirs, inspections, Title 85, chapter 15, See **DAMS AND RESERVOIRS**
Roster of licensees, 37-67-318, 37-67-321
Rural special improvement districts, Title 7, chapter 12, part 21
Sanitarian licensing provisions, exemption when, 37-40-102
Seal

- description, 37-67-314
- emeritus registrants, use not allowed, 37-67-321
- misuse, 37-67-314, 37-67-332
- required, 18-2-122, 37-67-314, 37-67-320, 70-22-108

State lands

- easements on, affidavit regarding, 77-2-102
- survey when, 77-1-104

State services contracts, Title 18, chapter 8, part 2
Subdivisions, responsibilities, Title 76, chapter 3
Television districts, employment by, 7-13-2510
Tramway inspections, 23-2-722
Unions, exclusions, 39-31-103
Utilities, underground — excavations near, information requirements, 69-4-504
Violations and penalties, 37-67-332

- partnerships and corporations subject to, 37-67-320
- registration
  - lack of, 37-67-301, 37-67-332
  - reissuance to emeritus registrants, period of professional competence, 37-67-321
  - revoked, suspended, or refused for, 37-67-331
- seal, unlawful use, 37-67-314, 37-67-332

Water

- projects, employment requirements in revenue bond terms, 85-1-306
- upper clark fork river basin ground water permit applications, report requirement, 85-2-337

Water conservancy districts, employment by, 85-9-408
Water supply and sewer districts, engineer in charge of work, 7-13-3003

ENGLISH LANGUAGE
Abandoned property, notice of sale — publication requirement, 70-9-308
Adult education programs, 20-7-702

ENGLISH LANGUAGE (Continued)

Agricultural seed containers, labeling, 80-5-120
Aid to families with dependent children (AFDC), training and education for recipients, 53-4-705
Condemnation commissioners, fluency required, 70-30-207
Consumer loans, statement of terms, 32-5-303
Corporation documents, filing requirements, 35-1-217
Court proceedings to be conducted in, 3-1-314
Dentists, license examinations conducted in, 37-4-301
Fraternal benefit societies
  documents to be in, 33-7-208
  minutes of proceedings of supreme governing body and board of directors, 33-7-306
Hazardous substances, labels, 50-30-202
Insurance policies, See **INSURANCE, Policies**, language simplification
Interpreters, See **CIVIL PROCEDURE, Interpreters; CRIMINAL PROCEDURE, Interpreters; DEAF PERSONS, Interpreters in official proceedings**
Nonprofit corporation documents, filing requirements, 35-2-119
Northern Montana College, curriculum, 20-25-256
Optometrists, certificate of registration examinations conducted in, 37-10-302
Partnership statements, 35-10-111
Physicians
  license, requirements, 37-3-305
  license examinations conducted in, 37-3-311
Railroads, rate schedules, 69-14-309
Trappers, metal tags required on traps, 87-3-504

ENVIRONMENTAL PROTECTION, Const., IX, 1
Advertising adjacent to highways, Title 75, chapter 15, part 1, See **OUTDOOR ADVERTISING**
Agricultural chemical ground water protection, Title 80, chapter 15, See **AGRICULTURAL CHEMICAL GROUND WATER PROTECTION**
Air quality, Title 75, chapter 2
Aquatic ecosystem protection, Title 75, chapter 7, See **LAKES, Shore protection; RIVERS AND STREAMS, Streambed protection**
Billboards, Title 75, chapter 15, part 1, See **OUTDOOR ADVERTISING**
CERCLA, Title 75, chapter 10, part 6, See **HAZARDOUS WASTES**
Clean Air Act of Montana, Title 75, chapter 2, parts 1 — 4, See **AIR QUALITY**
Clean and healthful environment, constitutional right, Const., II, 3; IX, 1
Coal, eminent domain, use limited to protect, 70-30-106
Commercial fertilizer educational and experimental program goals, 80-10-105, See also **AGRICULTURAL CHEMICAL GROUND WATER PROTECTION**
Comprehensive Environmental Cleanup and Responsibility Act, Title 75, chapter 10, part 7
Conservancy districts, See **WATER CONSERVANCY DISTRICTS**, generally
Contingency grant program
  environmental contingency account, 15-38-202, 75-1-1101, 75-10-704, 82-4-357, 85-5-110
  hazardous or deleterious substances, remedial action upon release — grant applications for, 75-10-704
  objectives, 75-1-1101
Detergent phosphorus compounds, Title 75, chapter 7, part 4, See **Phosphorus compounds**
Drainage districts for, 85-8-701, See **DRAINAGE DISTRICTS, Additional powers granted**
Economic development, compatibility, 90-1-101
Energy development, compatibility, 90-4-101, See **ENERGY, Renewable sources and conservation development**

ENVIRONMENTAL PROTECTION (Continued)

Environmental Policy Act, Title 75, chapter 1, parts 1 — 3, See **Policy of state**
Environmental Quality Council, Title 75, chapter 1, part 3
Environmental quality protection fund, 75-1-1101, 75-10-701, 75-10-704, 75-10-711, 75-10-714, 75-10-722, See **HAZARDOUS WASTES, Remedial action upon release of hazardous substance**
Facility Siting Act, Title 75, chapter 20
Federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Title 75, chapter 10, part 6
Fertilizers, commercial, Title 80, chapter 10, See **COMMERCIAL FERTILIZERS**
Fishing access improvement or development, 23-1-110
Fish species, transplantation or introduction — scientific investigation requirement, 87-5-711
Flathead Basin Commission, representation on, 2-15-213; Title 75, chapter 7, part 3, See **LAKES, Flathead Basin Commission**
Geothermal exploration, 75-20-1001
  bottom-hole temperatures, availability for geothermal purposes, 82-11-125, 82-11-126
  injury caused by, statute of limitation, 27-2-303
  leases, Title 77, chapter 4, part 1, See **STATE LANDS, Geothermal resource leases**
  tax incentives, energy-related, 15-32-102, 15-32-115
Grant program, See **Contingency grant program**
Ground water protection, agricultural chemical, Title 80, chapter 15, See **AGRICULTURAL CHEMICAL GROUND WATER PROTECTION**
Hazardous substances, Title 50, chapter 30, See **HAZARDOUS SUBSTANCES**
Hazardous wastes, Title 75, chapters 10 and 11, See **HAZARDOUS WASTES**
Healthful environment, constitutional right, Const., II, 3; IX, 1
Highways, advertising adjacent to, Title 75, chapter 15, part 1, See **OUTDOOR ADVERTISING**
Household hazardous waste, 75-10-104, 75-10-203, 75-10-215, 75-10-807
Hydroelectric power projects, feasibility studies to consider, 85-1-501
Impact statements
  administrative rules, applicability, 2-4-405
  air quality permit requirements, 75-2-211, 75-2-212, 75-2-301
  facility siting, for, Title 75, chapter 20, See **FACILITY SITING**
  fees
    administrative procedure act, applicability, 75-1-204
    agency rules to prescribe, 75-1-202, 75-1-203
    facility siting applications, exemption, 75-1-207
    federal energy regulatory commission, applications to — exemption, 75-20-204
    multiple applications or combined facility, 75-1-206
    schedule, 75-1-203
    use, 75-1-205
  general directions, 2-3-104, 75-1-201
  hazardous or deleterious substance, remedial action upon release — natural resources impaired by release, liability for damage costs, 75-10-715
  heritage properties and paleontological remains, concerning, 22-3-433, 22-3-434
  lakeshore protection, for, 75-7-213
  megalandfill siting
    fee, filing — credit against, 75-10-921
    proposed facility, report on — inclusion, 75-10-922
  mining
    metal mines, 82-4-335
    strip and underground, 82-4-231
  statutory obligations not impaired, 75-1-104
  subdivisions, when, 76-4-125
  water
    lease applications, 85-2-141

ENVIRONMENTAL PROTECTION (Continued)
Impact statements (Continued)
  water (Continued)
    permits, 75-20-204, 85-2-124
  weather modification permits, criteria for issuance, 85-3-202
Infectious waste management, Title 75, chapter 10, part 10, See **HAZARDOUS WASTES**
Insecticides, Title 80, chapter 8, See **PESTS AND PESTICIDES**
Ionizing radiation, Title 75, chapter 3, See **RADIOACTIVE SUBSTANCES**
Junkyards, Title 75, chapter 15, part 2
Lakeshore protection, Title 75, chapter 7, part 2, See **LAKES, Shore protection**
Landscape architects, Title 37, chapter 66
Landscape management, Title 75, chapter 15
Major Facility Siting Act, Title 75, chapter 20
Megalandfill Siting Act, Title 75, chapter 10, part 9
Mining lands, reclamation and restoration, See **MINES AND MINING**
Montana Conservation Corps work experience projects, Title 23, chapter 1, part 3, See **MONTANA CONSERVATION CORPS**
Motor vehicle graveyards and wrecking facilities, Title 75, chapter 10, part 5, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Graveyards and wrecking facilities**
Nuclear energy facilities, Title 75, chapter 20, part 12
Nuclear regulation, Title 75, chapter 3, See **RADIOACTIVE SUBSTANCES**
Oil and Gas Conservation, Board of — programmatic environmental statements and written reports, 75-1-201
Outdoor Advertising Act, Title 75, chapter 15, part 1
Outfitters and guides, compliance with standards, 37-47-301
Pesticides Act, Title 80, chapter 8, See **PESTS AND PESTICIDES**
Pesticides, ground water protection, Title 80, chapter 15, See **AGRICULTURAL CHEMICAL GROUND WATER PROTECTION**
Petroleum storage tank releases, cleanup, Title 75, chapter 11, part 3, See **HAZARDOUS WASTES**
Phosphorus compounds, sale and distribution
  counties
    regulation by, 75-7-411
      noncompliance, 75-7-412
    rule distributed to, 75-7-402
  model rule
    adoption and amendment, 75-7-401
    distribution, 75-7-402
    enforcement, 75-7-403
  penalty, 75-7-412
  standards, 75-7-401, 75-7-403
Policy of state, 75-1-103
  citation of Montana environmental policy act, 75-1-101
  energy emergency provisions, exclusion, 90-4-310
  exemption to provisions, 75-1-201
  impact statements, See **Impact statements**
  purpose of Montana environmental policy act, 75-1-102
  statutory obligations not impaired, 75-1-104
  supplemental policies and goals, 75-1-105
Pollution
  air, Title 75, chapter 2, See **AIR QUALITY**
  water, Title 7, chapter 13, part 45; Title 75, chapter 5, See **WATER QUALITY**
Public water supplies, Title 7, chapter 13, parts 30 and 44; Title 75, chapter 6, See **WATER SUPPLY, PUBLIC**
Radioactive substances, Title 75, chapter 3, See **FACILITY SITING, Nuclear energy conversion; RADIOACTIVE SUBSTANCES**
Radon control, Title 75, chapter 3, part 6, See **RADIOACTIVE SUBSTANCES**

ENVIRONMENTAL PROTECTION (Continued)

Reclamation, Const., IV, 2; Title 90, chapter 2, part 11
Recycling
  junk vehicles, Title 75, chapter 10, part 5, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Graveyards and wrecking facilities**
  generally, Title 75, chapter 10, See **SOLID WASTE MANAGEMENT**
Remedies to be provided, Const., IX, 1
Resource indemnity trust and ground water assessment tax, Title 15, chapter 38, See **TAXATION, MINERALS**
Right to clean and healthful environment, Const., II, 3; IX, 1
Sanitarians, Title 37, chapter 40
Solid waste management, Title 75, chapter 10, part 2
State land oil and gas leases, term — effect of compliance with environmental policy act and rules, 77-3-421
State park improvement or development, 23-1-110
State policies, recommendations and formulation, Title 75, chapter 1, part 3
Streambed and Land Preservation Act of 1975, Natural, Title 75, chapter 7, part 1, See **RIVERS AND STREAMS, Streambed protection**
Subdivision regulations for, Title 76, chapter 3
Sulfur dioxide, study of effects, 75-2-206
Upper Clark Fork River Basin Steering Committee, representation on, 85-2-338
Wastewater treatment works revolving loan program projects, information concerning, 75-5-1113
Water, 85-2-101; Const., IX, 2, See generally **DRAINAGE DISTRICTS, Additional powers granted; WATER, Conservation; WATER CONSERVANCY DISTRICTS; WATER QUALITY; WATER SUPPLY, PUBLIC**

ENVIRONMENTAL QUALITY COUNCIL
Appointment of members, 5-16-101
Assistance, 75-1-201
Compensation of members, 75-1-302
Composition, 5-16-101
Computer system planning, Title 5, chapter 11, part 4
Consultations, 75-1-313
Contempt proceedings, 75-1-312
Depositions, 75-1-312
Employment preference, Title 39, chapter 30, See **LABOR AND EMPLOYMENT, Preference to handicapped persons**
Energy, state policy — duties, 90-4-1002, 90-4-1003
Environmental impact statements, availability of copies, 75-1-201
Establishment, 75-1-102
Executive director
  appointment and qualifications, 75-1-321
  computer system planning council, legislative branch — member, 5-11-402
  duties, 75-1-324
  employees, appointment, 75-1-323
  term, 75-1-322
Expenses of members, 75-1-302
Facility siting, responsibilities, Title 75, chapter 20, See **FACILITY SITING**
Ground Water Assessment Steering Committee, representation on, 2-15-1523
Hearings, 75-1-312
Meetings, 75-1-302
Megalandfill siting
  application, copy to, 75-10-918
  long-range plan filed with, 75-10-913
  party to proceedings, 75-10-927

ENVIRONMENTAL QUALITY COUNCIL (Continued)

Natural Resource Data System Advisory Committee, employee appointed to, 2-15-1514
Notice of vacancy, posting required when, 5-16-104
Officers, 5-16-105
Oil and Gas Conservation, Board of — programmatic environmental statement reports, 75-1-201
Public representation on council, 5-16-101
Purpose, 5-16-102
Qualifications for membership, 5-16-102
Reappointment of members, 5-16-103
Records, agency — examination, 75-1-311
Renewable sources development, report and oversight, 90-4-111, 90-4-112
Solid waste management plans, submission to, 75-10-111
Staff, 75-1-323, 75-1-324
Subpoena powers, 75-1-312
Term of office, 5-16-103
Utilization of services, 75-1-313
Vacancies, how filled, 5-16-104
Water Policy Committee, staff assistance, 85-2-105

EQUAL PROTECTION, Const., II, 4
  See generally **DISCRIMINATION; RIGHTS**

EQUITY
Clean hands doctrine, 27-1-416
For every wrong there is a remedy, 1-3-214
Fraudulent transfers, applicability of laws, 31-2-342
Jurisdiction of
  district court, 3-5-302; Const., VII, 4
  supreme court, 3-2-203, 3-2-204
Laches, defense, 1-3-218, 31-2-342; Title 25, chapter 20, M.R.Civ.P., Rule 8(c)
Principles, basic, Title 1, chapter 3, See **LAW, Maxims of jurisprudence**
Rules of Civil Procedure, applicability, Title 25, chapter 20, M.R.Civ.P., Rule 1
Trust, breach — exclusivity of remedies, 72-34-507, See also **TRUSTS**, generally

ESCHEATED ESTATES ACT, Title 72, chapter 14, parts 1 — 3
  See **ESTATES AND PROBATE, Escheated estates**

ESCROW BUSINESSES
Administration of provisions, 32-7-108
Advertising, 32-7-121
Appeals, 32-7-124
Assets or capital, 32-7-115, 32-7-122
Branch offices, 32-7-109
Cash receipt and disbursement journal, 32-7-115
Cease and desist orders, 32-7-122
Change of control, 32-7-111
Citation of Regulation of Escrow Businesses Act, 32-7-101
Close of escrow, 32-7-115, 32-7-117
Complaints, 32-7-122
Contempt, 32-7-123
Contracts pertaining to interest on deposits, 32-7-117
Definitions, 32-7-102, 32-7-111, 32-7-117
Enforcement of provisions, 32-7-122
Escrow accounts, 32-7-103, 32-7-115 — 32-7-117
Escrow instructions and escrow transactions, 32-7-102, 32-7-115, 32-7-121
Examinations, 32-7-108, 32-7-110, 32-7-115, 32-7-123

ESCROW BUSINESSES (Continued)

Exemptions or exceptions, 32-7-103, 32-7-104
Expenses, 32-7-115
Fees, 32-7-108, 32-7-110
Financial condition, transactions, and statements, 32-7-115
Funds
    deposit requirements and disbursement, 32-7-115, 32-7-117, 32-7-121
    power of attorney, statutory — authority, 72-31-231
Hearings, 32-7-108, 32-7-123, 32-7-124
Injunction, 32-7-122
Investigations, 32-7-108, 32-7-122, 32-7-123
Legislative intent, 32-7-101
Liabilities, 32-7-115
Licensees, 32-7-102, 32-7-110, 32-7-115, 32-7-116
Licenses, 32-7-108 — 32-7-111, 32-7-121, 32-7-122
Officers, managers, and personnel, 32-7-109
Orders, 32-7-122
Purpose of provisions, 32-7-101
Receiver, appointment, 32-7-122
Reconciliation of statements, 32-7-115
Records, 32-7-115, 32-7-121
Regulation, 32-7-101
Restraining orders, 32-7-122
Rules, 32-7-108, 32-7-109, 32-7-122
Subpoenas, 32-7-123
Supervision, 32-7-101, 32-7-108
Unauthorized practices, 32-7-121
Unclaimed property, items held in escrow, 70-9-201
Unsafe conditions, 32-7-122
Violations, 32-7-108, 32-7-122

ESTATES AND PROBATE
    See also **LIVING WILLS; PROPERTY, REAL**
Abandonment of property, 72-3-613, 72-5-427
Absence as Evidence of Death and Absentees' Property Act, Uniform, 72-1-108
Accounting
    closing of estate, See **Closing of estate**
    conservatorships, 72-5-413, 72-5-424, 72-5-436, 72-5-438
    escheated estates, 72-14-103, 72-14-202, 72-14-204
    personal representative, 72-1-109, 72-3-521, 72-3-522, 72-3-1005; Title 25, chapter 21, M.R.App.P., Rule 1
    public administrator, See **Public administrator**
    small estates, 72-3-1104
    special administrator, 72-3-703
Actions by or against decedent
    execution, 25-13-103, 25-13-306
    statutes of limitations, 27-2-404, 27-2-407, 72-3-123
    survival, See **CIVIL PROCEDURE, Survival of action**
Actions by or against personal representative
    accounting, 72-3-612
    appeals permitted, Title 25, chapter 21, M.R.App.P., Rule 1
        substitution for decedent, Title 25, chapter 21, M.R.App.P., Rule 37
    attorneys' fees, 72-3-632, 72-3-633
    breach of duty, 45-1-205, 72-3-1011
    capacity, 72-3-604, 72-3-613; Title 25, chapter 20, M.R.Civ.P., Rule 17(a); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A

ESTATES AND PROBATE (Continued)
Actions by or against personal representative (Continued)

- claims against estate, for payment, 72-3-804
- closing of estate, statute of limitation, 72-3-1011
- community property, perfection of title, 72-9-109
- costs, 25-10-108, 72-3-632
- counterclaim
  - against, 25-4-402
  - by, 25-4-401
- declaratory judgments, 27-8-204
- execution, 25-4-402, 25-13-103, 25-13-306
- foreign personal representative, 72-4-310, 72-4-311
- indemnification, 72-3-612
- insurance benefits, to recover — when, 33-15-201
- liability, determination of issue, 72-3-612
- nonprobate transfers, multiple-party accounts — accounting by surviving party or beneficiary receiving payment, 72-6-215
- party, capacity, 72-3-527, 72-3-604, 72-3-612, 72-3-613; Title 25, chapter 20, M.R.Civ.P., Rule 17(a); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A
  - foreign personal representative, 72-4-310, 72-4-311
  - small claims court, 25-34-105, 25-35-505
- quiet title, 70-28-204
- real party in interest, Title 25, chapter 20, M.R.Civ.P., Rule 17(a); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A
- recovery of possession or title determination, 72-3-606
- service of process on, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- small claims court, in, 25-34-105, 25-35-505
- substitution for decedent, 27-1-501, 27-2-404, 72-3-604; Title 25, chapter 20, M.R.Civ.P., Rules 17(a), 25(a); Title 25, chapter 21, M.R.App.P., Rule 37
- substitution for foreign personal representative, 72-4-311
- substitution for previous personal representative, 72-3-527
- successor as party, 72-3-527
- surcharge, 72-3-612
- surety, breach of obligation on bond, 72-3-516
- tort actions, 72-3-612
- wrongful death of decedent, 27-1-307, 27-1-308, 27-1-513

Actions relating to estate
- community property, perfection of title, 72-9-109
- conservators and conservatorship
  - accounting, 72-5-436
  - bond, breach, 72-5-412
  - capacity of conservator, 72-5-427; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A
  - small claims court, in, 25-34-105, 25-35-505
  - surety on bond, against, 72-5-412
- creditor's claim for payment, 72-3-804, 72-3-814
- distributees, against, 72-3-1013
- elective share of surviving spouse, procedure, 72-2-225
- escheated estates, for, 72-14-103, 72-14-301
- exempt property and allowances, remedies, 72-2-415
- personal representative, See **Actions by or against personal representative**
- public administrator
  - bond, action on, 72-15-213
  - recovery of property by, 72-15-104
- small estates, recovery of property, 72-3-1102
- supervised administration, 72-3-401

ESTATES AND PROBATE (Continued)
Actions relating to estate (Continued)

- wills
  - contest, See **Formal testacy and appointment proceedings**
  - delivery to court compelled, 72-2-536

Ademption by satisfaction, 72-2-616, 72-2-619, 72-3-911
Administration

- ancillary, See **Ancillary administration**
- appeals permitted, Title 25, chapter 21, M.R.App.P., Rule 1
- appointment required, 72-3-103
- commencement, 72-3-103
- conservatorship, See **Conservators and conservatorship**
- corepresentatives, 72-3-622
- costs and expenses, See **Costs and expenses**
- declaratory judgments, availability, 27-8-202, 27-8-204
- devolution of estate, subject to, 72-3-101
- expeditious, 72-3-605
- judgment, effect, 25-9-103, 26-3-201
- late discovery of property, subsequent administration, 72-3-1016
- letters, See **Personal representative**
- no administration, successors' rights, 72-3-911
- personal representative, See **Personal representative**
- principal and income determinations, 72-34-404 — 72-34-406
- protected persons, See **Conservators and conservatorship**
- public administrator, See **Public administrator**
- receivers, by — applicability of laws, Title 25, chapter 20, M.R.Civ.P., Rule 66
- restraint of specific acts, 72-3-617
- special administrator, See **Special administrator**
- supervised, See **Supervised administration**
- termination, See **Closing of estate**

Adoption

- dissolution or annulment of marriage, revocation of probate or nonprobate transfers by, 72-2-814
- intestate succession
  - class gifts, 72-2-715
  - relationship of parent and child, 40-8-125, 72-2-124
- wills, omitted after-adopted child, 72-2-332

Affirmations on all filed documents, 72-1-206
Agents, 72-1-103

- compensation, 72-3-634, 72-5-432
- conflicts of interest, 72-3-615
- disclaimer of property interests, 72-2-811
- dissolution or annulment of marriage, revocation of nomination, 72-2-814
- elective share of surviving spouse, 72-2-223
- employment for estate, 72-3-613, 72-3-634, 72-5-427
- homicide of decedent, effect, 72-2-813
- inheritance tax, designation in agreement consenting to lien, 72-16-474
- nonademption of specific devises when, 72-2-616
- nonprobate transfers, multiple-party accounts, Title 72, chapter 6, part 2

Alcoholic beverage licenses, transfer under probate, 16-4-204, 16-4-404
Aliens, 72-2-215, See also **Nonresident decedents**
Allowances and exempt property, See **Exempt property and allowances**
Anatomical gifts, Title 72, chapter 17
Ancillary administration

- actions by foreign personal representative, 72-4-310
- adjudication in other jurisdiction binding on local personal representative, 72-4-402
- bank payments to foreign personal representative, 32-1-448

ESTATES AND PROBATE (Continued)
Ancillary administration (Continued)

- claims against decedent's estates, 72-3-803, 72-3-821, 72-3-822, 72-4-101, 72-4-308
- death taxes, apportionment, 72-16-612
- definitions, 72-4-101
- distribution to domiciliary personal representative, 72-3-822
- filing of letters, bond, inventory, and affidavit by foreign personal representative, 25-1-201, 72-4-201, 72-4-303, 72-4-304, 72-4-309
- "foreign personal representative" defined, 72-1-103
- foreign trust company, appointment as administrator, 32-1-1002
- inheritance tax, 72-4-304, 72-16-701, See **TAXATION, ESTATES, Inheritance tax,** nonresident decedents
- inspection of assets, 72-4-305
- inventory, 72-4-303, 72-4-305
- jurisdiction of courts, 72-4-201, 72-4-202
- priority of domiciliary personal representative, 72-3-506, 72-3-526, 72-4-311
- local administration, 72-4-101
  - effect on foreign personal representative, third persons, and local representatives, 72-4-311
- local personal representative, 72-4-101, 72-4-311, 72-4-401
  - adjudication in other jurisdiction binding on, 72-4-402
- location of property, determination, 72-3-113
- mortgages, discharge or release by foreign personal representative, 71-1-213
- notice
  - creditor to nonresident debtor, 72-4-308
  - inheritance tax, 72-4-304
  - local administration, pending, 72-4-311
  - service of process, 72-4-203
- payment of debt or delivery of property to foreign personal representative, 32-1-448, 72-4-201, 72-4-303, 72-4-306
  - discharge of debtor or possessor, 72-4-307
  - resident creditor notice, prohibited by, 72-4-308
- powers of foreign personal representative, 72-4-303, 72-4-310, 72-4-311
- proof of appointment and affidavit of foreign personal representative required when, 72-4-305, 72-4-306
- provisions governing, 72-4-401
- service of process on foreign personal representative, 72-4-203

Annulment, See **Dissolution or annulment of marriage**
Antilapse, 72-2-613
Appeals, 72-1-207, 72-1-209; Title 25, chapter 21, M.R.App.P., Rule 1
- claims against estate, 72-3-808
- conservatorship, interim accountings, 72-5-438
- escheated estates, 72-14-301
- estate tax, 72-16-907
- formal testacy orders, 72-3-317, 72-3-318, 72-3-523
- inheritance tax, See **TAXATION, ESTATES**

Appraisement, See **Inventories**
Attachment of interest in, 27-18-412
Augmented estate, 72-2-222
- elective share of surviving spouse, 72-2-221, 72-2-225, 72-2-227

Banks
- conservators, deposits by, 72-5-427
- consolidation of bank, effect on fiduciary status, 32-1-371
- deposits and collections, effect of death of customer, 30-4-405
- foreign personal representatives, delivery of deposits or property to, 32-1-448
- nonprobate transfers, multiple-party accounts, Title 72, chapter 6, part 2
- securities, deposit with, 32-1-425 — 32-1-427

ESTATES AND PROBATE (Continued)

Beneficiary or beneficiary designation, 72-1-103
  alien heirs, report, 72-2-215
  deceased beneficiary, substitute gift created in surviving descendants, 72-2-716
  fiduciary deposit when person unable to take, 72-14-401 — 72-14-403
  future interest under terms of a trust, 72-2-717
  homicide, effect, 72-2-813
  interested person, 72-1-103, See **Interested persons**
  nonprobate transfers
    multiple-party accounts, Title 72, chapter 6, part 2
    securities, registration in beneficiary form, Title 72, chapter 6, part 3
  worthier title doctrine abolished, 72-2-720
Bequests, See **Devise and devisees; Distribution and distributees; Wills**
Boat certificate of ownership, transfer of interest, 23-2-510
Bonds
  conservators, 72-5-411 — 72-5-413
  inheritance tax, See **TAXATION, ESTATES**
  nonprobate transfers on death, 72-6-111
  personal representative, See **Personal representative**
  public administrator, 72-15-103, 72-15-208, 72-15-213
  records, 72-1-204
  trustees of trusts, 72-3-916
Business of decedent or person under disability
  continuation by conservator, 72-5-427
  continuation by personal representative, 72-3-613
  partnerships, See **PARTNERSHIPS, Death of partner**
Capital companies, credits for investment in, 90-8-102, 90-8-202, 90-8-203
Cemetery associations, hearing of annual report — applicability of laws, 35-20-207
Child, 72-1-103, See also **Intestate succession; Minors**
  adoption, See **Adoption**
  afterborn, 72-2-118, 72-2-332, 72-2-1002
  class gifts, 72-2-715
  conservator, as, 72-5-410
  distribution
    authority of personal representative, 72-3-611
    per capita at each generation or per stirpes, 72-2-719
  exempt property, 72-2-413, 72-2-415, See also **Exempt property and allowances**
  family allowance, 72-2-414, See also **Exempt property and allowances**
  formal testacy proceedings, notice, 72-3-305
  homestead allowance, 72-2-412, 72-2-415, See also **Exempt property and allowances**
  inheritance taxes, specific provisions, 72-16-313, 72-16-318
  interested person, 72-1-103, See **Interested persons**
  nonprobate transfers from multiple-party accounts, demand for accounting, 72-6-215
  omitted, 72-2-332, 72-2-813, 72-3-611
  parent and child relationship, 72-2-124
  parent-child legal relationship termination, effect, 41-3-611
  pretermitted, 72-3-611
  representation, 72-1-303
  stepchild, 72-2-716
  support
    death of parent, effect, 40-4-208, 40-6-213
    lien against, 40-5-242
  unemployment insurance benefits, continuation to, 39-51-2205
Choice of law, See **Conflict of laws**
Claims against estate, 72-1-103, See also **Insufficiency of estate**
  administration in more than one state, 72-3-821, 72-3-822

ESTATES AND PROBATE (Continued)
Claims against estate (Continued)

- allowance of claim, 72-3-805, 72-3-806
- ancillary administration, 72-3-803, 72-3-821, 72-3-822, 72-4-101, 72-4-308, 72-4-401
- appeals, 72-3-808; Title 25, chapter 21, M.R.App.P., Rule 1
- augmented estate, effect, 72-2-222
- bond of personal representative, demand by creditor, 72-3-514
- child support, 40-6-213
- classification of claims, 72-3-807
- closing of estate
  - liability of distributees, 72-3-1012
  - statement by personal representative, 72-3-1004
  - time for, 72-3-1001
- community property
  - perfection of title, 72-9-109
  - rights, 72-9-114
  - security interest, 72-9-110
- compromise, 72-3-131, 72-3-132, 72-3-815
- conservatorships, 72-5-405, 72-5-427, 72-5-433
- contemplation of death, gifts in, 70-3-205
- contingent claims, 72-3-804, 72-3-814
- counterclaim, 72-3-806
- declaratory judgment to determine creditors, 27-8-204
- devolution of estate subject to, 72-3-101, 72-3-911
- disallowance of claim, 72-3-804, 72-3-805
- encumbered assets, 72-3-803, 72-3-812, 72-3-813
- enforcement, requirements, 72-3-104, 72-3-805
- execution upon property of estate, 72-3-813
- exempt property, priority, 72-2-413
- family allowance, exemption and priority, 72-2-414
- fiduciary deposit when person unable to take, 72-14-401 — 72-14-403
- foreign administration, 72-3-803, 72-3-821, 72-3-822, 72-4-101, 72-4-308, 72-4-401
- funeral expenses, 72-1-103, See also **Funeral expenses**
- future due date, claims with, 72-3-814
- homestead allowance, exemption and priority, 72-2-412
- institutions, ancillary and per diem charges, 53-1-412
- insufficiency of estate, 72-3-802, 72-3-807, 72-3-821, 72-36-302
- interested person, 72-1-103, See **Interested persons**
- interest on allowed claims, 72-3-805
- judgment
  - as claim, 25-9-103
  - declaratory judgment to determine creditors, 27-8-204
  - from another court to enforce claim, 72-3-805
- liability for manner of payment, 72-3-808, 72-3-906
- liens for salaries and wages, 71-3-302
- medicaid payments, reimbursement, 53-2-611, 53-6-143
- nonclaim, 72-3-803
- nonprobate transfers
  - effect, 72-6-111
  - multiple-party accounts, 72-6-206, 72-6-215
  - securities registered in beneficiary form, 72-6-308, 72-6-309
- nonresident decedents, 72-3-113, 72-3-803, 72-3-821, 72-3-822
- not due, claims due in future, 72-3-814
- notice
  - allowance, 72-3-805
  - creditors, to, 72-3-801, 72-3-1103
  - disallowance, 72-3-804, 72-3-805

ESTATES AND PROBATE (Continued)
Claims against estate (Continued)
- notice (Continued)
  - present claims, to, 72-3-801, 72-3-803
- old-age assistance, recovery, 53-5-401
- order for payment, 72-3-808
- payment, 72-3-808
  - actions for, 72-3-802, 72-3-804
  - administration in more than one state, 72-3-821
  - contingent claim, 72-3-814
  - encumbrance of, 72-3-812
  - improper, 72-3-906
  - not due, 72-3-814
  - personal representative, by, 72-3-104, 72-3-613, 72-3-614
  - priority for, 72-3-807, 72-3-808, 72-3-821
  - proportional, 72-3-821
  - recovery of property for, 72-3-614, 72-16-442
  - restraint of specific acts, 72-3-617
  - secured claim, 72-3-811
  - security, 72-3-808, 72-3-814
  - unliquidated claim, 72-3-814
- presentation, 72-3-801, 72-3-804, 72-3-1001, 72-3-1004
- principal and income determinations, 72-34-404, 72-34-406
- priority of claims, 71-3-302
- recovery from distributees, 72-3-104
- representation of parties, 72-1-303
- secured claims, 72-3-104, 72-3-804, 72-3-811, 72-3-812, 72-3-821, 72-9-110
- small estates, 72-3-1103, 72-3-1104,
- statute of limitations, 72-3-802
- taxes, claims for, 72-3-131, 72-3-807
- torts, based on, 72-3-612, 72-3-803
- trustor's estate, creditor's rights, 72-36-302
- unliquidated claims, 72-3-804, 72-3-814

Class gifts, 72-2-613, 72-2-715 — 72-2-718, 72-2-1004
Closing of estate
- accounting, final, 72-3-1005
  - compel or approve, petition to, 72-3-1001, 72-3-1003
  - inheritance tax
    - appraisal, hearing at time of, 72-16-415
    - determination of tax, accounting supplied for, 72-16-401
    - receipt for payment prerequisite, 72-16-434, 72-16-437
  - small estates, 72-3-1104
- distribution
  - compelled, 72-3-1001, 72-3-1003
  - domiciliary personal representative, to, 72-3-822
- escheat, order for sale of property, 72-14-204, 72-15-212, See also **Escheated estates**
- failure to close, 72-3-1015
- formal proceeding terminating administration, 72-3-1001 — 72-3-1003
- hearings, 72-3-1001, 72-3-1003, 72-3-1015
- informally probated will, administration under, 72-3-1003
- intestacy, partial, 72-3-1003
- late discovery of property, 72-3-1016
- liability of distributees to claimants, 72-3-1012
- lien for fiduciary performance, discharge, 72-3-1014
- notice
  - formal proceedings, 72-3-1001 — 72-3-1003
  - subsequent administration, 72-3-1016
- omitted persons, adjudication of testacy, 72-3-1002

ESTATES AND PROBATE (Continued)
Closing of estate (Continued)

- order of complete settlement, 72-3-1001 — 72-3-1003
- order to close, 72-3-1015
- paternity proceedings, effect on, 40-6-108
- personal representative's statement, by, 72-3-1004
- petitions, 72-3-1001 — 72-3-1003, 72-3-1016
- small estates, 72-3-1103, 72-3-1104
- statutes of limitations
  - distributees, actions against, 72-3-1013
  - personal representative, actions against, 72-3-1011
- subsequent administration, 72-3-1016
- taxes
  - extension of time, 72-3-1006, 72-16-423, 72-16-437
  - final accounting provided for determination of tax, 72-16-401
  - payment prerequisite to closing, 72-3-1006, 72-16-423, 72-16-437
  - receipt or certificate of payment, 72-3-1006, 72-16-423, 72-16-434, 72-16-437
  - statement of personal representative, 72-3-1004
- time, 72-3-1015

Community property
- application of provisions, 72-9-102, 72-9-120
- citation of uniform disposition of community property rights at death act, 72-9-101
- creditor's rights, 72-9-114
- disposition, 72-9-107
- married persons, acts of, 72-9-115
- nonprobate transfers
  - multiple-party accounts, deposit to, 72-6-216
  - securities, registration in beneficiary form, 72-6-302
- purchaser for value or lender, 72-9-110
- rebuttable presumptions, 72-9-103
- testamentary disposition, limitations, 72-9-116
- title, perfection
  - personal representative, heir, or devisee, 72-9-109, 72-9-110
  - surviving spouse, 72-9-108, 72-9-110
- uniformity of application and construction, 72-9-120

Compromise
- admission to probate, 72-3-131, 72-3-132
- claims against estate, 72-3-815
- debtors, with, 72-3-613

Conflict of interest
- conservators, 72-5-427, 72-5-434
- personal representative, 72-3-613, 72-3-615
- representation, 72-1-303

Conflict of laws
- elective share of surviving spouse, 72-2-221
- governing instrument, construction, 72-2-713
- uniform probate code controls, 72-1-106
- wills, execution, 72-2-526

Conservators and conservatorship, See also **GUARDIANS AND GUARDIANSHIP**
- abuse, neglect, or exploitation reports, disclosure to conservator, 52-3-813
- accounting of estate, 72-5-413, 72-5-424, 72-5-436, 72-5-438
- actions, See **Actions relating to estate**
- applicability of laws, 53-20-141, 72-1-201
- appointment of conservator
  - acceptance, 52-4-102, 72-5-406
  - cause for, 72-5-409
  - commitment of person to be protected, admissibility when, 53-21-190

ESTATES AND PROBATE (Continued)

Conservators and conservatorship (Continued)

- appointment of conservator (Continued)
  - defect, 72-5-435
  - dissolution or annulment of marriage, revocation of nomination, 72-2-814
  - family services, department of — as, 52-4-102, 52-4-105
  - gambling violations, appointment for defendant, 23-5-136
  - guardian, in lieu of, 72-5-316
  - petition for, 25-1-201, 72-5-401 — 72-5-403
  - priorities, 72-5-402, 72-5-410
  - timeshare sales, appointment when, 37-53-505
  - title to property vested by, 72-5-425
  - transfer or alienation, not, 72-5-425
  - trustee, for, 72-33-619
- attorney, court appointment, 72-5-408
- bond of conservator, 52-4-106, 72-5-411 — 72-5-413
- child of protected person as conservator, 72-5-410
- claims
  - contracts, based on, 72-5-436
  - estate, against, 72-1-103, 72-5-405, 72-5-429, 72-5-433
  - protected person, against, 72-5-433
- collection of estate, 72-5-104, 72-5-427
- compensation of conservator, 72-5-427, 72-5-432, 72-15-301
- conflict of interest of conservator, 72-5-427, 72-5-434
- consolidation of proceedings, 72-5-102
- corporate shareholders, signatures for — acceptance or rejection of vote, consent, proxy appointment, or waiver, 35-1-527
- court
  - accountings and appeal, 72-5-438
  - appointment of conservator, 72-5-408, 72-5-409
  - bond requirements, 72-5-411
  - claims against estate or protected person, order for allowance, 72-5-433
  - conflict of interest, transactions involving, 72-5-434
  - instructions by, 72-5-413
  - inventory filed with, 72-5-424
  - jurisdiction, 72-1-103, 72-1-202, 72-5-102, 72-5-405, 72-5-406, 72-5-412
  - orders for protection, 72-5-408, 72-5-409
  - personal representative's powers, order granting to conservator, 72-5-429
  - powers of conservator, enlargement or limitation, 72-5-430
  - powers over property and affairs of protected person, 72-5-421, 72-5-422
  - proceedings subsequent to appointment, 72-5-413
  - removal or resignation of conservator, 72-5-414
  - termination of conservatorship, 72-5-437
  - will of deceased person, delivery to, 72-5-429
- death of conservator, 72-5-414
- death of protected person, 72-3-122, 72-5-429
- default judgment against, Title 25, chapter 20, M.R.Civ.P., Rule 55(b)
- definitions, 72-1-103, 72-5-101, 72-26-502
- delivery of estate to conservator, 72-5-104, 72-5-427, 72-5-435, 72-5-439
- disclaimer of property interests, 72-2-811
- distribution of estate
  - conservator, to, 72-3-917, 72-3-918, 72-5-425
  - estate plan, preservation, 72-5-431
  - jurisdiction of court, 72-5-405
  - nonademption of specific devises when, 72-2-616
  - petition for order, 72-5-413
  - powers of conservator generally, 72-5-427 — 72-5-429
  - protected person, when to, 72-5-429

ESTATES AND PROBATE (Continued)
Conservators and conservatorship (Continued)
  distribution of estate (Continued)
    title vesting in conservator, 72-5-425
  elective share of surviving spouse, 72-2-223
  estate plan, preservation by conservator, 72-5-431
  executive clemency, application for
    filing, 46-23-301
    order for hearing, copy to, 46-23-303
  expenses, 72-5-427, 72-5-429, 72-5-433, 72-5-437
  family services, department of
    conservator, as, 52-4-102, 52-4-103, 52-4-105, 52-4-107, See also **DEVELOPMENTALLY DISABLED PERSONS, Protective proceedings, Department of Family Services as guardian or conservator**
    protective services of, does not create conservatorship, 52-3-207
  fees, notice subsequent to payment — request for, 72-5-404
  fiduciary duty of conservator, 72-5-413, 72-5-423, 72-5-436
  foreign conservators, payment or delivery of property to, 72-5-439
  foreign trust company as conservator, 32-1-1001 — 32-1-1007
  grounds for, 72-5-409
  guardian, protective proceedings, 72-5-231, 72-5-321, 72-5-401, See also **GUARDIANS AND GUARDIANSHIP**
  hearings
    accountings, 72-5-438
    appointment of conservator, 72-5-403, 72-5-408
    court's powers, before exercise, 72-5-421
    orders subsequent to appointment, petition for, 72-5-413
    protective order, 72-5-403, 72-5-408
    removal of conservator, 72-5-414
    termination of conservatorship, 72-5-437
  in-kind payment of inheritance or estate taxes, 72-16-445 — 72-16-450
  interested persons
    appointment or protective order, petition for, 72-5-401
    conflict of interest, notice to, 72-5-434
    notice to, 72-5-403, 72-5-404, 72-5-429, 72-5-434
    orders subsequent to appointment, petition for, 72-5-413
    records, request for, 72-5-424
    sureties, action against — petition for, 72-5-412
    termination of conservatorship, petition, 72-5-437
  inventory, 72-5-424
  investment of estate assets, 72-5-427, 72-5-431, 72-31-102
  letters of conservatorship, 72-1-103, 72-5-426, 72-5-429, 72-5-430, 72-5-435
  liability of conservator, 72-5-436, 72-5-438
  limited conservatorship, 72-5-316
  mental health facilities
    commitment of persons to, effect, 53-21-141, See also **MENTAL ILLNESS OR INCAPACITY, Conservatorship**
    transportation of protected person to, reimbursement of expense, 53-21-113
  minors, transfers to, Title 72, chapter 26
  missing persons, for, 72-3-122, 72-3-918, 72-5-409
  nomination, power of, 72-2-814, 72-5-410, 72-5-501
  nonprofit corporations
    as conservator, 72-5-410
    members, signatures for — acceptance of vote, consent, proxy appointment, or waiver, 35-2-542
  notice
    accountings, 72-5-438
    claim against estate or protected person, 72-5-433

ESTATES AND PROBATE (Continued)
Conservators and conservatorship (Continued)
- notice (Continued)
    - conflict of interest of conservator, 72-5-434
    - conservator, to, 72-1-302, 72-5-314, 72-5-406
    - court's powers, exercise of, 72-5-421
    - interested persons, request, 72-5-404, 72-5-429
    - orders subsequent to appointment, petition for, 72-5-413
    - personal representative, conservator as, 72-5-429
    - petition for appointment of conservator or protective order, 72-5-403
    - removal of conservator, 72-5-414
    - sureties, to, 72-5-412
    - termination of conservatorship, 72-5-437
    - waiver, 72-1-302, 72-5-403
- orders
    - accounting, for, 72-5-438
    - claims, allowance — for, 72-5-433
    - conservatorship, for, 72-1-303, 72-5-408, 72-5-409, 72-5-421
    - powers of personal representative to conservator, granting, 72-5-429
    - subsequent to appointment, petition for, 72-5-413
    - termination, for, 72-5-426
- parent
    - as conservator, 72-5-410
    - distributions, recommendations for, 72-5-428
    - inventory to, 72-5-424
    - notice of proceedings, 72-5-403
    - petition for appointment of conservator or protective order, 72-5-401
- partnership partners, appointment for — effect, 35-10-616
- personal representative
    - conservator as, 72-5-429
    - rights of conservator, 72-3-505, 72-3-522
    - termination of conservatorship, petition by, 72-5-437
- petition for appointment of conservator or protective order, 72-5-401
    - contents, 72-5-402
    - fee for filing, 25-1-201
    - hearing, 72-5-408
    - notice, 72-5-403
- pleadings, 72-1-303
- power of attorney, 72-31-201, 72-31-231
- powers of conservator, 72-5-427 — 72-5-429
    - enlargement, 72-5-430
    - limitation, 72-5-430, 72-5-435
- professional corporations, amendment of articles of incorporation, 35-4-312
- public administrator, appointment, 72-5-410, 72-5-415, 72-15-301
- public employees' retirement system benefits, application for and payment to minor beneficiary, 19-2-803, 19-3-1204
- records, 72-1-204, 72-5-424
- relative as conservator, 72-5-410
- removal of conservator, 72-5-413, 72-5-414, 72-5-438
- residential facilities, admission of persons to — creation upon, 53-20-141
- resignation of conservator, 72-5-414, 72-5-438
- sales by conservator, 72-5-427
- securities
    - bond of conservator, determination of amount, 72-5-411
    - conservator's power, 72-5-427
    - court's powers, 72-5-421
    - exempt transactions, 30-10-105
    - injunctive proceedings, appointment, 30-10-305

ESTATES AND PROBATE (Continued)
Conservators and conservatorship (Continued)
  securities (Continued)
    third persons, protection, 72-5-435
    transfer, 30-10-402, See **SECURITIES AND SECURITIES REGULATION, Fiduciary transfers**
  spouse
    as conservator, 40-2-108, 72-5-410
    court's exercise of rights, 72-5-421
    notice of proceedings, 72-5-403
  successor conservator, 72-5-412 — 72-5-414
  support of protected person, 72-3-917, 72-5-409, 72-5-413, 72-5-428, 72-5-433
  taxation, conservator's duties, 72-5-427, 72-16-445 — 72-16-450, 72-16-601, See also **TAXATION, INDIVIDUAL INCOME**
  temporary conservator, 72-5-413
  termination of conservatorship, 72-5-426, 72-5-437
  third persons, protection of transactions, 72-5-427, 72-5-435
  title to property, 72-5-425, 72-5-426, 72-5-437
  tort claims against estate, 72-5-436
  trusts, relationship, See **TRUSTS**
  venue, 72-1-203, 72-5-407
  visitor
    compensation, 72-5-432
    interview with, 72-5-403, 72-5-408
  voidable transactions, 72-5-434
  will of parent of protected person, nomination of conservator by, 72-5-410
  will of protected person
    consideration in protection of estate, 72-5-431
    delivery to court, 72-5-429
    examination by conservator, 72-2-535, 72-5-431
    nonademption of specific devises when, 72-2-616
  wills, appointment of conservator — effect, 72-5-425
Contempt
  misappropriation of estate, person's refusal to testify, 72-15-110
  will, refusal to deliver to court, 72-2-536
Contracts
  claims against estate
    interest on, contract for, 72-3-805
    limitations when based on, 72-3-803, 72-5-436
  conflict of interest, contracts involving, 72-3-615
  disclaimer of property interests, 72-2-811
  distribution, private agreements, 72-3-915
  minors, disaffirmance, 41-1-304
  personal representative, 72-3-612, 72-3-613, 72-3-631, 72-3-803
  protected persons and conservatorship
    conservator
      appointment, effect, 72-5-425
      capacity, 72-5-427
    consideration in administration of estate, 72-5-431
    court, capacity, 72-5-421, 72-5-422
  spouse's rights, renunciation by, 72-2-224
  succession, concerning, 72-2-534
Contribution
  abatement by, 72-3-901
  claims against estate, distributees' right, 72-3-1012
  elective share of surviving spouse, to, 72-2-225, 72-2-227
Controversies, admission to probate, 72-3-131, 72-3-132

ESTATES AND PROBATE (Continued)

Corporations
  close corporation shareholders, 35-1-550
  directors
    conflicting interest transactions, 35-1-461
    indemnification, 35-1-451
  "entity" and "individual" defined, 35-1-113
  nonprobate transfers, multiple-party accounts — nonapplicability, 72-6-202
  shareholders, signatures by fiduciary, 35-1-527
Costs and expenses
  appraiser for inheritance tax, fee, 72-16-413
  attorney's fees, See **ATTORNEYS' FEES**
  augmented estate, reduction, 72-2-222
  claim against the estate
    as, 72-1-103, 72-3-807, 72-3-808
    effect on, 72-3-803
  closing of estate, failure to close, 72-3-1015
  conservatorships, 72-5-427, 72-5-429, 72-5-433, 72-5-437
  filing fee, 25-1-201
  inheritance tax for nonresident decedents, statement of costs in application for determination, 72-16-802
  missing persons, search, 72-3-306
  payment
    closing, prerequisite to, 72-3-1004
    conservator, by, 72-5-427
    personal representative, by, 72-3-613, 72-3-915
    priority, 72-3-807
  personal representatives, 72-3-613, 72-3-915
  principal and income, determination, 72-34-404, 72-34-406
  public administrators
    accounting, 72-15-207
    bond, action on, 72-15-213
    fees, 72-15-301
    payment from estate, 72-15-210
  small estates, 72-3-1103, 72-3-1104
  trustor's estate, administration, 72-36-302
  wills
    contest of validity or probate, 72-12-206
    handwriting analysis, 72-12-406
Court, 72-1-103
  agents, review of compensation or employment, 72-3-634
  animals, trusts for — appointments pertaining to, 72-2-1017
  appeals, See **Appeals**
  attorney's fees, determination, 72-3-633, 72-3-634
  augmented estate, duties, 72-2-222
  business of estate, order for continuation, 72-3-613
  chambers, judges power at, 3-5-311
  claim against estate
    compromise, 72-3-815
    payment, 72-3-808, 72-3-814
  clerk of court's powers, 72-1-205, See **CLERK OF THE DISTRICT COURT**
  closing of estate, 72-3-1001, 72-3-1003 — 72-3-1005
    show cause when not closed within 2 years, 72-3-1015
    small estates, 72-3-1104
    subsequent administration, 72-3-1016

ESTATES AND PROBATE (Continued)
Court (Continued)

- compromise
  - approval, 72-3-132
  - consent for, 72-3-613, 72-3-815
- conflicts of interest, approval of transactions involving, 72-3-615
- conservatorship, See **Conservators and conservatorship**
- distribution, petition for, 72-3-914
- elective share of surviving spouse, duties, 72-2-222, 72-2-223, 72-2-225
- escheated estates, 72-14-103
  - claim for, 72-14-301, 72-14-402
  - discovery motion, 72-14-201
  - investment of deposited money, order, 72-14-203
- exempt property and allowances, petition for relief, 72-2-415
- fiduciary deposits, claim for, 72-14-402
- formal testacy and appointment proceedings, See **Formal testacy and appointment proceedings**
- interested persons bound by orders, 72-3-111
- jurisdiction
  - community property, perfection of title, 72-9-108
  - disclaimer of property interests, filing, 72-2-811
  - exclusive jurisdiction, 72-3-111
  - foreign personal representatives, personal jurisdiction, 72-4-201, 72-4-202
  - notice for hearing, method or time of giving, 72-1-301
  - original jurisdiction, 3-5-302; Const., VII, 4
  - personal representative
    - defect, 72-3-618
    - invocation, power of, 72-3-605
    - personal jurisdiction, 72-3-511, 72-3-521; Title 25, chapter 20, M.R.Civ.P., Rule 4B
  - subject jurisdiction, 72-1-202
  - surety of personal representative, personal jurisdiction, 72-3-516
  - third parties — payments, transfers, or deposits by, 72-2-712, 72-2-813, 72-2-814
- personal representative
  - appointment, 72-3-103, 72-3-501, 72-3-503, 72-3-504, 72-3-506, 72-3-507, 72-3-512
  - bond, 72-3-512, 72-3-513
  - compensation
    - renunciation, filing, 72-3-631
    - review, 72-3-634
  - foreign personal representative, 72-4-311
    - filing of letters, bond, inventory, and affidavit, 72-4-303, 72-4-309
    - personal jurisdiction, 72-4-201, 72-4-202
  - inventory, filing, 72-3-607, 72-3-609
  - jurisdiction
    - defect, 72-3-618
    - invocation, power of, 72-3-605
    - personal, 72-3-511, 72-3-521; Title 25, chapter 20, M.R.Civ.P., Rule 4B
  - limitation of powers, 72-3-618
  - removal, 72-3-526
  - restraining order against, 72-3-617
  - subsequent administration, 72-3-1016
  - surety on bond, 72-3-516
  - termination, effect, 72-3-521
- public administrator
  - accounting, 72-15-203, 72-15-207, 72-15-208, 72-15-302, 72-15-303
  - bond, additional, 72-15-208
  - compensation, adjustment, 72-15-304
  - deposit of money, order, 72-15-213

ESTATES AND PROBATE (Continued)
Court (Continued)
  public administrator (Continued)
    misappropriation of estate by third parties, 72-15-109, 72-15-110
    supervision, 72-15-201
  records, 3-5-513, 72-1-204, See also **Records required**
  small estate, closing, 72-3-1104
  subsequent administration, 72-3-1016
  supervised administration, 72-3-401, See **Supervised administration**
  testamentary trusts, 72-35-301, 72-35-312
  waiver of rights, unconscionability — decision on, 72-2-224
  wills
    delivery to, 72-2-536
    deposit with, 72-2-535
    handwriting analysis, 72-12-401, 72-12-402, 72-12-407
Creditors' claims, See **Claims against estate**
Crime victims reparation benefits, See **CRIME VICTIMS AND WITNESSES**
Criminal offenders, conviction not to cause loss of property to relative or heirs, Const., II, 30
Curtesy, abolishment, 72-2-122
Damages
  future, periodic payments — property of estate, 25-9-403
  interested persons, failure to give notice to, 72-3-106
  personal representative, breach of fiduciary duty, 72-3-616
  stranger's death, failure to give notice, 72-15-105
  will, failure to deliver, 72-2-536
Death certificates
  evidence, as, 72-1-108, 72-2-909
  property rights determination, access to, 50-15-112
Death or status of individual, evidence of, 72-1-108
Debts, See **Claims against estate**; **Indebtedness to estate**; **Insufficiency of estate**
Declaration of invalidity of marriage, See **Dissolution or annulment of marriage**
Declaratory judgments, availability, 27-8-202, 27-8-204
Decrees, See **Judgments**; **Orders**
Defect
  claim against decedent's estate, in presentation, 72-3-804
  fiduciary sales, deeds and conveyances, 72-31-103
  informal probate applications, 72-3-215
  inventories, 72-3-609
  letters, in issuance, 72-3-602
  order, notice of — noncompliance, 72-3-106
  petitions, incompleteness, 72-3-121
  transactions with conservator, protection from, 72-5-435
  transactions with personal representative, protection from, 72-3-618, 72-31-103
Definitions, 72-1-103
  ancillary administration, 72-4-101
  antilapse provision, 72-2-613
  augmented estate provisions, 72-2-222, 72-2-227
  conservatorships and guardianships, 72-5-101
  deceased beneficiary, substitute gift created in surviving descendant provision, 72-2-716
  disclaimer of property interests, representative of a person, 72-2-811
  distribution, per capita at each generation or per stirpes, 72-2-719
  divorce or annulment, revocation by, 72-2-814
  estate, 70-1-702, 72-1-103
  formal testacy proceeding, 72-3-302
  future interest under terms of a trust, survivorship with respect to, 72-2-717
  homicide provision, 72-2-813
  international wills, 72-2-901
  intestate succession, representation provision, 72-2-116

ESTATES AND PROBATE (Continued)
Definitions (Continued)

- nonademption of specific devise, incapacitated principal, 72-2-616
- nonprobate transfers
  - multiple-party account provisions, 72-6-201
  - securities, registration in beneficiary form provisions, 72-6-301
- 120-hour rule, co-owners with right of survivorship, 72-2-712
- supervised administration, 72-3-401
- will, 1-1-205, 72-1-103, 72-2-527, 72-2-901

Denial of probate, 72-3-213, 72-3-214, 72-3-223, 72-3-224
Descriptions of property in
- disclaimer of property interests, 72-2-811
- pleadings, 72-1-303

Devise and devisees, 72-1-103, 72-2-613, 72-3-901, See also **Distribution and distributees; Wills**
- ademption by satisfaction, 72-2-619
- administration, absence of, 72-3-911
- alienage, 72-2-215
- antilapse, 72-2-613
- artist and art dealer relationship, Title 22, chapter 2, part 5
- beneficiary, 72-1-103
- child support, action by board of county commissioners for, 40-6-213
- claims against estate
  - compromise, consent to, 72-3-815
  - statutes of limitations, 72-3-803
- closing of estate
  - petition for order, 72-3-1003
  - recovery of property, 72-3-1013
- community property, title to property, 72-9-108 — 72-9-110
- compromises, consent to, 72-3-613, 72-3-815
- covenants, how answerable, 70-20-306
- dealership or distribution contracts, cancellation — inventory repurchase, 30-11-704
- declaratory judgment, to determine, 27-8-204
- decreased, 72-2-613
- defeasible estate, 71-1-209
- devolution of estate, 72-3-101
- estate, devise to, 70-1-701 — 70-1-704, See **PROPERTY, Gifts**
- formal testacy proceedings, notice, 72-3-305
- indebtedness to estate, consent to compromise, 72-3-613
- in-kind payment of inheritance or estate taxes, 72-16-445 — 72-16-450
- interested person, 72-1-103, See **Interested persons**
- mausoleum-columbarium plots, rights to, 35-21-421, 35-21-424, 35-21-425, 35-21-428
- nonademption of specific devises, 72-2-616
- nonprobate transfers
  - multiple-party accounts, payments, 72-6-223, 72-6-226
  - securities registered in beneficiary form, discharge of registering entity, 72-6-308
- nonprofit corporations, merger — effect, 35-2-614
- omission as parties, 72-3-1002
- partition, petition and notice, 72-3-914
- personal representative
  - notice of appointment, 72-3-603
  - priority as, 72-3-502
- principal and income determinations on income earned during administration, 72-34-404, 72-34-406
- residuary devisees, 72-2-614, 72-3-902
- state land sales, canceled certificates of purchase
  - improvements on land, effect on, 77-2-332

ESTATES AND PROBATE (Continued)
Devise and devisees (Continued)
  state land sales, canceled certificates of purchase (Continued)
    reinstatement, application, 77-2-333
  things in action, passage to, 70-2-102
  trusts, applicability, 72-33-106
  unknown
    effect of judgments, 25-3-505
    parties, as, 25-3-504, 25-3-505; Title 25, chapter 20, M.R.Civ.P., Rule 4D
  vital statistics, certificates generally — data pertaining to father of child, 50-15-109
Devolution of estate, 72-3-101, See also **Succession**
  disclaimer of property interests, 72-2-811
Disability, persons under — distribution to, 72-3-917, See **Conservators and conservatorship; GUARDIANS AND GUARDIANSHIP**
  nonprobate transfers, multiple-party accounts, Title 72, chapter 6, part 2
Disclaimer of property interests, 72-2-811
Discovery, procedure, Title 25, chapter 20, M.R.Civ.P., Rule 1
Dissolution or annulment of marriage
  effect, 72-2-812
  perpetuities, statutory rule against — exclusions, 72-2-1005
  renunciation of succession, 72-2-224
  revocation of probate or nonprobate transfers, 72-2-814
Distribution and distributees, 72-1-103, See also **Intestate succession; Succession**
  abatement, 72-2-331, 72-2-332, 72-2-413, 72-3-901, 72-3-911
  administration, absence of, 72-3-911
  agriculture, department of — authority, 80-1-102
  agriculture development council, acceptance, 90-9-202
  airport authorities, authority, 67-11-201
  ancillary administration, applicability of laws, 72-4-401
  appeal permitted, Title 25, chapter 21, M.R.App.P., Rule 1
  cemeteries, acceptance for, 7-8-103, 7-8-104
  cemetery districts, acceptance, 7-35-2109
  chemical dependency treatment programs, for, 53-24-108
  cities and towns, acceptance, 7-1-4124, 7-3-4313, 7-8-103, 7-8-104, 7-16-4109, 20-7-803, 67-10-201, 90-5-102
  city-county consolidated governments, acceptance, 7-3-1203
  claims against estate, payment — bond or security by distributee, 72-3-814
  closing of estate, 72-3-1001, 72-3-1003, 72-3-1006
    partial distribution, 72-3-1006
    statement by personal representative, 72-3-1004
  community college district trustees, acceptance, 20-15-109
  community property, Title 72, chapter 9, part 1
  conservation districts, authority, 76-15-404
  conservation easements, acquisition by, 76-6-204
  conservators, See **Conservators and conservatorship**, distribution of estate
  contemplation of death, gifts in, 70-3-205
  corepresentatives, authority, 72-3-622
  corrections and human services, department of — acceptance, 53-20-504, 53-21-402
  counties, acceptance, 7-8-103, 7-8-104, 7-16-2105, 90-5-102
  county commissioners, board of — acceptance, 7-35-2201
  county park district commissions, acceptance, 7-16-2423
  county water and/or sewer districts, acceptance, 7-13-2217
  cultural and aesthetic projects, matches for challenge grants, 22-2-309
  deaf and blind, Montana school for the — acceptance, 20-8-111, 17-3-1001, 17-3-1002
  deed, 72-3-904, 72-3-905, 72-3-907
  development corporations, acceptance, 32-4-201
  devolution, 72-3-101
    when no administration, 72-3-911

ESTATES AND PROBATE (Continued)
Distribution and distributees (Continued)

- disability, person under, 72-3-917, See also **Conservators and conservatorship,** distribution of estate
- dissolution of marriage, property settlement — criteria for determining, 40-4-202
- domiciliary personal representative, to, 72-3-822
- encumbered assets, 72-3-812
- escheat, 72-3-918, See **Escheated estates**
- evidence of succession, 72-3-905
- evidence of title, 72-3-904, 72-3-907, 72-3-911
- exempt property, effect, 72-2-413
- expeditious, 72-3-605, 72-3-610, 72-3-613, 72-3-621
- family services, department of — acceptance, 52-4-110
- fiduciary deposit when interested person unable to take, 72-14-401 — 72-14-403
- fire department relief association disability and pension fund, to, 19-18-501
- firefighters' unified retirement system benefits, as additional employee contributions, 19-13-607
- fish and wildlife mitigation trust fund, to, 87-1-611, 87-1-612, 87-1-614
- fish, wildlife, and parks — department of, authority, 23-1-102, 87-1-209, 87-1-703, 87-1-709
- foreign personal representative, to, 72-3-822, 72-4-401
- future interests
  - in "heirs" and like, 72-2-223, 72-2-717, 72-2-721
  - under terms of trust, 72-2-717
- grazing district preferences not subject to, 76-16-405
- hazardous or deleterious substance, release by facility — acquisition and liability of facility, 75-10-715
- highway authorities, acceptance, 7-14-101, 60-4-111, 60-5-104
- highway patrol officers' survivorship benefits, 19-6-903
- historical society, acceptance, 22-3-107, 22-3-603
- hospitals, acceptance, 7-8-103, 7-8-104
- housing authorities, municipal — acceptance, 7-15-4460
- housing, board of — acceptance, 90-6-104
- improper, 72-3-905 — 72-3-907, 72-3-1013
- indebtedness of successor, 72-3-912
- inheritance tax, Title 72, chapter 16
- in kind, 72-3-902, 72-3-904, 72-3-905, 72-3-907
- institutions generally, acceptance, 7-8-103, 7-8-104, 17-3-1001, 17-3-1002
- insurers, investment in real estate allowed when, 33-2-832
- interest on pecuniary devise, 72-3-913
- investments, board of — authority, 17-5-1504, 17-5-1505
- land commissioners, board of — authority, 23-1-103, 77-1-213
- lenders to distributees, 72-3-907
- liability of distributees, 72-3-1012
- libraries, public — board of trustees, authority, 22-1-309
- limited partnership, interest in, 35-12-802
- mausoleum-columbariums, authority, 35-21-217, 35-21-421, 35-21-424, 35-21-425, 35-21-428, 35-21-613, 35-21-614, 35-21-623
- migratory bird reservations, 2-1-211
- missing persons, to, 72-3-918
- Montana arts council, authority, 22-2-107
- Montana state university local government center, acceptance, 20-25-237
- motor vehicle certificate of ownership, transfer of interest, 61-3-201
- municipal commission-manager government, acceptance, 7-3-4313
- natural resources and conservation, department of — authority, 85-1-332, 85-3-103
- nonprofit corporations, merger — effect, 35-2-614
- off-highway vehicle certificate of ownership, transfer of interest, 23-2-812
- omitted child, 72-2-332

ESTATES AND PROBATE (Continued)
Distribution and distributees (Continued)

open-space lands
    authority of public bodies, 76-6-106
    land for, 7-12-4102
park commissioners, board of — authority, 7-16-4109, 20-7-803
parking commissions, acceptance, 7-14-4622
parks, public — land for, 7-12-4102
partial distribution, 72-3-1006
partition for purpose of, 72-3-914
paternity proceedings, effect, 40-6-108
payment in, 72-3-905, 72-3-906
per capita at each generation, 72-2-719
personal representative, authority, 72-3-605, 72-3-611, 72-3-613
per stirpes, 72-2-719, 72-6-310
planning boards, authority, 76-1-408
police officers' retirement systems
    employer contributions, as additional, 19-9-705
    police retirement funds, to, 19-19-304
port authorities, acquisitions by, 7-14-1111
power-tobin mansion, bequest to state, 77-1-221
private agreement among successors, 72-3-915
procurement provisions, state — applicability, 18-4-132
proposal and right to object, 72-3-903
public employees' retirement system, alternate payees, 19-2-907
purchases from distributees, 72-3-907
recovery from distributees, 72-3-317, 72-3-1013
recovery when improper, 72-3-905, 72-3-907, 72-3-1013
reformation, 72-2-1004, 72-2-1006
regents of higher education, board of — authority, 20-25-402
religious corporations, power, 35-3-205
representation, by, 72-2-719
residuary estate, 72-3-902
restraint of specific acts, 72-3-617
reversion, 70-15-210, See **PROPERTY, REAL, Reversion**
school districts, acceptance, 7-16-4109, 20-6-601
schools generally, for, 20-9-601
school trustees, acceptance, 20-3-324, 20-9-604
science and technology development, board of — acceptance, 90-3-203
securities
    cash distribution prior to death, 72-2-615
    valuation, 72-3-902
small estates, 72-3-1103, 72-3-1104
snowmobile certificate of ownership, transfer of interest, 23-2-612
social and rehabilitation services, department of — acceptance, 53-20-504
spouse, entitlement, 72-2-331, See also **Spouse**
state forests, acquisition by, 77-5-101
state land acquired by, 77-1-101, 77-5-101
state, to
    expenditure limitation, 17-8-105
    investment funds for, 17-6-202, 17-6-203
    power-tobin mansion, 77-1-221
    veterans' and pioneers' memorial building, for, 22-3-303
successor personal representative, authority, 72-3-621
supervised administration, 72-3-401, 72-3-403, 72-3-405, See also **Supervised administration**
taxes, Title 72, chapter 16

ESTATES AND PROBATE (Continued)
Distribution and distributees (Continued)

television districts, acceptance, 7-13-2510
testamentary additions to trusts, 72-2-531
transportation, department of — authority, 67-2-301
"trust company" defined, 32-1-107
trustees, to, 72-3-915, 72-3-916
unclaimed assets, 72-3-918
university of Montana bureau of government research, acceptance, 20-25-207
university system, 17-3-1001, 17-3-1002, 20-25-402, 20-25-426
urban renewal, acceptance for, 7-15-4258
veterans' and pioneers' memorial building, for, 22-3-303
vocational-technical center directors, authority, 20-16-104
water conservancy district board of directors, authority, 85-9-405
will, to be in accordance with terms of, 72-3-610
Divorce, See **Dissolution or annulment of marriage**
Domicile, See **Residence**
Dower, See also **Elective share of surviving spouse**
abolishment, 72-2-122
partition, joinder of tenant in dower, 70-29-104, 70-29-105, 70-29-326
presumption property free from, 70-20-316
quiet title, subject to, 70-28-101, 70-28-105
Durable power of attorney, 72-5-501, 72-5-502
"agent" defined, 72-1-103
nonademption of specific devises when, 72-2-616
Easements, dedication by
conservator, 72-5-427
personal representative, 72-3-613
Elective share of surviving spouse, 72-2-221
abatement, applicability, 72-3-901
augmented estate, 72-2-222
charging spouse with owned assets and gifts received, 72-2-227
community property, 72-9-107
devolution of estate subject to, 72-3-101
divorce, annulment, or decree of separation — effect, 72-2-812
effect on statutory benefits, 72-2-226
exempt property, effect, 72-2-413
extension of time, 72-2-225
family allowance, effect, 72-2-414
governing instrument, conflict of laws — effect, 72-2-713
homestead allowance, effect, 72-2-412
homicide, effect, 72-2-813
incapacitated person, 72-2-223, 72-2-415
inheritance tax, effect, 72-16-314, 72-16-315
liability of others for balance, 72-2-227
perpetuities, statutory rule against, 72-2-1005
petition for, 72-2-222, 72-2-223, 72-2-225
proceeding for, 72-2-225
protected person, court's power, 72-5-421
right of election, 72-2-223
supplemental elective-share amount, 72-2-221, 72-2-223, 72-2-225 — 72-2-227
waiver of right, 72-2-224
Encumbrance of assets of estate, See also **Liens**; **Mortgages**; **Pledges**; **Security interest in property of estate**
conflict of interest, 72-3-615
conservator's authority, 72-5-427
nonademption of specific devises, 72-2-616

ESTATES AND PROBATE (Continued)
Encumbrance of assets of estate (Continued)

    personal representative's authority, 72-3-812
    small estate, 72-3-1103, 72-3-1104
Errors, See **Defect**
Escheated estates
    accountings, 72-14-103, 72-14-202, 72-14-204
    acquisition by state, 70-1-203, 70-6-420, 72-14-102, 72-14-103
        collection by state auditor, 17-4-103
        procedure, Title 72, chapter 14, part 2
    attorney general, duties, 72-14-103
        special assistant attorney general, 70-9-105, 72-14-103
    citation of escheated estates act, 72-14-101
    claim of escheated property, action for, 72-3-918, 72-14-301
        amount, 72-14-210
        fiduciary deposits, 72-14-402
        inheritance tax, payment, 72-14-303
        statute of limitation, 72-14-302
    delivery of property
        intangible personal property, 72-14-205
        real property, deed, 72-14-206
        tangible personal property, 72-14-207
    deposit of money
        county treasurer, with, 7-6-2421, 72-14-202, 72-14-204, 72-14-401, 72-14-403, 72-15-212
        fiduciary deposit, 72-14-401, 72-14-403
        investment of deposited funds, 72-14-203
        public administrator, by, 72-14-202
        revenue, department of — with, 7-6-2421, 72-3-918, 72-14-204, 72-14-207, 72-15-212
        state treasurer, with, 7-6-2421, 72-14-204 — 72-14-206, 72-14-209, 72-14-403
        trust, funds held in, 20-9-601, 72-14-210, 72-14-403
    discovery of existence, 72-14-103, 72-14-201
    fiduciary deposits when, 72-14-401 — 72-14-403
    hazardous or deleterious substance, release by facility — acquisition and liability of facility, 75-10-715
    insurer's liquidation, unclaimed funds, 33-2-1374
    joint action with other states, 70-9-122
    notice of auction sale
        intangible personal property, 72-14-205
        real property, 72-14-206
        tangible personal property, 72-14-207
    personal property unsold by personal representative, disposition, 72-14-205, 72-14-207
    real property unsold by personal representative, 72-14-206
    sale of property, 72-14-208
        final settlement, order upon, 72-14-204, 72-15-212
        intangible personal property, 72-14-205
        real property, 72-14-206
        tangible personal property, 72-14-207
    state forests, acquisition by, 77-5-101
    unclaimed property, 70-9-102, 70-9-105, 72-3-918, 72-14-403
    when title vests in state, 72-14-102
Estate tax, Title 72, chapter 16, part 9
Execution against, 25-13-103, 25-13-306
    claims against estate, prohibited for, 72-3-813
    counterclaim, judgment on, 25-4-402
Executor, See **Personal representative**

ESTATES AND PROBATE (Continued)

Exempt property and allowances
  appeals, Title 25, chapter 21, M.R.App.P., Rule 1
  applicability of laws, 72-2-411
  augmented estate, effect, 72-2-222
  claims against estate, priority, 72-3-808, 72-3-821
  definitions, 72-1-103
  devolution of estate subject to, 72-3-101, 72-3-911
  distribution, applicability, 72-3-902
  divorce, annulment, or decree of separation — effect, 72-2-812
  elective share by surviving spouse, effect, 72-2-226
  exempt property, 72-1-103, 72-2-413
  family allowance, 72-2-414
  governing instrument, conflict of laws — effect, 72-2-713
  homestead allowance, 72-2-412
  homicide, effect, 72-2-813
  inheritance tax, effect, 72-16-314
  institutions, ancillary and per diem charges — effect, 53-1-412
  nonprobate transfers from multiple-party accounts, effect on allowances, 72-6-215
  120-hour rule, survivorship requirement, 72-2-114
  principal and income determinations on income earned during administration of estate, 72-34-404, 72-34-406
  selection of property, 72-2-415
  small estates, 72-3-1103, 72-3-1104
  title to, establishment, 72-3-911
  waiver of rights, 72-2-224
Expenses, See **Costs and expenses**
Federal liens, certificates and notices filed with secretary of state, 71-3-204
Fiduciary generally, 72-1-103, See also **Conservators and conservatorship; Personal representative; GUARDIANS AND GUARDIANSHIP; TRUSTS**
  applicability of laws, territorial extent, 72-1-201
  compromise agreements, 72-3-131, 72-3-132
  disclaimer of property interests, 72-2-811
  dissolution or annulment of marriage, revocation of nomination, 72-2-814
  homicide of decedent, effect, 72-2-813
  notice, waiver, 72-1-302
  perpetuities, statutory rule against — exclusions, 72-2-1005
  prior, acts or accounts — review, extent of orders binding, 72-1-303
Foreign conservators, 72-5-439
Foreign estates, See **Nonresident decedents**
Foreign-money claims, Title 25, chapter 9, part 7
Foreign personal representative, See **Ancillary administration**
Forest fire hazard reduction or management, 76-13-401
Formal testacy and appointment proceedings
  appeals, 72-3-317, 72-3-318, 72-3-523
  appointment, specific provisions, 72-3-319, 72-3-507, 72-3-523, 72-3-611
    bond of personal representative, effect, 72-3-513
    request for appointment not required, 72-3-302
    several instruments, which controls nomination, 72-3-314
  claims against estate, adjudication, 72-3-1013
  closing of estate, See **Closing of estate**
  commencement of proceedings, 72-3-302
  compromise as to admission to probate, 72-3-131, 72-3-132
  contested cases
    burdens in, 72-3-310
    priority of determinations, 72-3-311

ESTATES AND PROBATE (Continued)
Formal testacy and appointment proceedings (Continued)
  contested cases (Continued)
    witness' testimony, 72-3-309
  death
    burden of proof, 72-3-310
    conclusive finding, 72-3-317
    fact of death in doubt, 72-3-306, 72-3-317
    recovery of estate when not dead, 72-3-317
  definitions, 72-1-103
  execution of will, proof, 72-3-307, 72-3-309, 72-3-310, 72-3-1002
  fees, 25-1-201, 72-12-206
  foreign wills, 72-3-301, 72-3-316
  hearings, 72-3-301, 72-3-302, 72-3-313
    notice, 72-3-305, 72-3-306, 72-3-317
    unopposed cases, 72-3-307
  heirship, reconsideration, 72-3-317
  informal probate and appointment proceedings
    confirmation of appointment, 72-3-304
    denial, effect, 72-3-214, 72-3-224
    stay of appointment, 72-3-319
    superseded by formal proceeding, 72-3-303, 72-3-523
  intestacy
    burden of proof, 72-3-310
    order, 72-3-307, 72-3-315, 72-3-317
    partial, 72-3-315
    petition for adjudication, 72-3-301, 72-3-302, 72-3-311
    unopposed petition, 72-3-307
  late discovery of wills, 72-3-311, 72-3-317
  nonresidents, orders of domiciliary state, 72-3-312
  notice
    appointment, determination, 72-3-319
    failure to give, 72-3-1002
    hearing, 72-3-305, 72-3-306, 72-3-317
    petition, 72-3-301, 72-3-302, 72-3-304
    proof of notice, 72-3-313
  objections, 72-3-308
  omitted parties, 72-3-1002
  orders
    appeal, 72-3-317
    compromise, 72-3-132
    final, 72-3-314, 72-3-317
    intestacy, 72-3-307, 72-3-315, 72-3-317
    modification, 72-3-314, 72-3-317, 72-3-318
    out-of-state, effect, 72-3-312
    probate, 72-3-307, 72-3-313
    request for, 72-3-301, 72-3-302
    several instruments, 72-3-314
    vacation, 72-3-314, 72-3-317, 72-3-318, 72-3-611
    who bound, 72-1-303
  petitions, 72-3-301, 72-3-311
    appointment, for, 72-3-319
    dismissal or amendment, 72-3-313
    filing, 25-1-201, 72-3-302
    informal appointment, request for confirmation, 72-3-304
    order, for modification or vacation, 72-3-317
    several petitions, 72-3-314
    supervised administration, applicability, 72-3-403

ESTATES AND PROBATE (Continued)
Formal testacy and appointment proceedings (Continued)
- petitions (Continued)
  - unopposed, 72-3-307
- pleadings, 72-3-307, 72-3-308
- rules of procedure, 72-1-207
- self-proved will, 72-3-309
- several instruments, priority for probate, 72-3-314
- special administrator, appointment, 72-3-701, 72-3-704, 72-3-705
- statutes of limitations, 72-3-122, 72-3-313
- supervised administration, joinder, 72-3-402
- validity of will, 72-3-313, 72-12-206
- venue, 72-3-112 — 72-3-114, 72-3-310, 72-3-313

Fraternal benefit societies
- benefits, payment to estate, 33-7-521
- heirs, right of indemnification or reimbursement, 33-7-307

Fraud
- alleged decedent, recovery by, 72-3-317
- distributees, recovery of property from, 72-3-1013
- inheritance tax, effect on proration of additional tax, 72-16-458
- personal representative, recovery from, 72-3-1011
- remedies, 72-1-111
- wills
  - contested cases, burden of proof, 72-3-310
  - extrinsic evidence, 28-2-905, 70-20-202
  - self-proved, effect on execution, 72-3-309

Fraudulent transfers, Title 31, chapter 2, part 3
Funeral expenses, See also **MORTICIANS AND FUNERAL DIRECTORS**
- augmented estate, effect on valuation, 72-2-222
- claim against estate, 72-1-103
  - priority for payment, 72-3-807
- inheritance taxes, effect on valuation, 72-16-308, 72-16-802
- personal representative's authority, 72-3-601
- principal and income determinations on income and expenses incurred during administration, 72-34-404, 72-34-406
- small estate, 72-3-1103, 72-3-1104

Future interests, See also **PROPERTY; PROPERTY, REAL**
- augmented estate, 72-2-222
- disclaimer of property interests, 72-2-811
- heirs and issue, meaning, 70-1-518
- "heirs" and like, in, 72-2-223, 72-2-717, 72-2-721
- passing of, 70-1-326
- perpetuities, statutory rule against, 72-2-1001 — 72-2-1007
- trust
  - animals, trust for domestic and pet — unexpended trust property, 72-2-1017
  - survivorship under terms of, 72-2-717

Generation-skipping transfers, tax on, 72-16-1001 — 72-16-1007
Gifts
- ademption by satisfaction, 72-2-619, 72-3-911
- advancements, 72-2-119, 72-3-911
- anatomical, Title 72, chapter 17
- antilapse, 72-2-613
- causa mortis, 15-7-307, 70-3-103, 70-3-201 — 70-3-205, 72-16-213, 72-16-301, 72-16-308, See also **TAXATION, ESTATES, Inheritance tax**, contemplation of death, transfers in
- class gift, 72-2-613, 72-2-715 — 72-2-718, 72-2-1004
- inheritance tax, 72-16-101
- nonprobate transfers on death, 72-6-111

ESTATES AND PROBATE (Continued)
Gifts (Continued)

- protected persons
  - charitable contributions by conservator, 72-5-428
  - court's authority, 72-5-421
- substitute gifts, 72-2-613, 72-2-716, 72-2-717
- to estate, 70-1-701 — 70-1-704, See **PROPERTY, Gifts**

Governing instrument, 72-1-103
- animals, trusts for, 72-2-1017
- augmented estate, 72-2-222
- beneficiary and beneficiary designation, 72-1-103, 72-2-712
  - alternative, 72-2-716
- class gifts, 72-2-715 — 72-2-718
- construction
  - conflict of laws, 72-2-713
  - scope of rules, 72-2-711
  - worthier title doctrine abolished, 72-2-720
- deceased beneficiary, substitute gift created in surviving descendants, 72-2-716
- disclaimer of property interests, restrictions or limitations, 72-2-811
- distribution of property, per capita at each generation or per stirpes, 72-2-719
- divorce or annulment, revocation of probate or nonprobate transfers by, 72-2-814
- future interests
  - in "heirs" and like, 72-2-223, 72-2-717, 72-2-721
  - trust, under terms of — survivorship with, 72-2-717
- homicide, effect, 72-2-813
- 120-hour rule, 72-2-712
- perpetuities, statutory rule against, 72-2-1002, 72-2-1003
- power of appointment, specific reference, 72-2-714

Guardians, See **Conservators and conservatorship; GUARDIANS AND GUARDIANSHIP**

Health and Environmental Sciences, Department of — list of deaths to county clerk and recorder, 72-16-217

Health care information, Title 50, chapter 16, parts 5 and 6

Hearings
- attorneys' fees, additional fees, 72-3-633
- closing of estate, 72-3-1001, 72-3-1003, 72-3-1015
- conservatorships, See **Conservators and conservatorship**
- elective share of surviving spouse, 72-2-225
- formal testacy or appointment proceedings, See **Formal testacy and appointment proceedings**
- inheritance tax, Title 72, chapter 16
- notice, 72-1-301
- personal representative
  - removal for cause, 72-3-526
  - restraining order, 72-3-617
- special administrator, appointment, 72-3-701
- wills, handwriting analysis — determination of necessity, 72-12-402

Heirs, 72-1-103, See also **Distribution and distributees; Intestate succession**
- administration, absence of, 72-3-911
- afterborn heirs, 72-2-118
- alienage, 72-2-121, 72-2-215
- animals, trust for domestic or pet — unexpended trust property, 72-2-1017
- artist and art dealer relationship, Title 22, chapter 2, part 5
- cemetery plots, inalienability, 35-20-216
- charitable trusts, enforcement prohibited, 72-33-503
- child support, action by board of county commissioners for, 40-6-213

ESTATES AND PROBATE (Continued)
Heirs (Continued)

- claim against estate
    - compromise, consent to, 72-3-815
    - statutes of limitations, 72-3-803
- class gifts, 72-2-718
- closing of estate
    - determination of heirs at, 72-3-1001
    - recovery of property, 72-3-1013
- community property, title to property, 72-9-108 — 72-9-110
- compromises, consent to, 72-3-613, 72-3-815
- cooperative associations, proceeds of shares to, 35-15-404
- covenants, how answerable, 70-20-306
- criminal offenders, conviction not to cause loss of property to relative or heirs, Const., II, 30
- dealership or distribution contracts, cancellation — inventory repurchase, 30-11-704
- death certificates, determination of heirship, 50-15-112
- declaratory judgment to determine, 27-8-204
- defeasible estate, 71-1-209
- definitions, 72-1-103
- degrees of kinship
    - collateral kinship, 72-11-102, 72-11-104
    - computation, 72-11-101, 72-11-103, 72-11-104
    - intestate succession, 72-2-113
    - lineal kinship, 72-11-102, 72-11-103
- devolution of estate, 72-3-101
    - disclaimer of property interests, 72-2-811
- elective share of surviving spouse, transfer from unexpended trust property, 72-2-223
- formal proceedings to determine, See **Formal testacy and appointment proceedings**
- fraternal benefit societies, right of indemnification or reimbursement, 33-7-307
- future interests in, 70-1-518, 72-2-223, 72-2-717, 72-2-721
- half blood, kindred of, 72-2-117, 72-2-715
- indebtedness to estate, consent to compromise, 72-3-613
- in-kind payment of inheritance or estate taxes, 72-16-445 — 72-16-450
- interested person, 72-1-103, See **Interested persons**
- judicial determination, See **Formal testacy and appointment proceedings**
- jurisdiction of court, 72-1-202
- mausoleum or columbarium plots, rights to, 35-21-421, 35-21-424, 35-21-425
- mere possibility not an interest, 70-1-319
- minors, contracts — disaffirmance, 41-1-304
- nonprobate transfers
    - multiple-party accounts, payments, 72-6-223, 72-6-226
    - securities registered in beneficiary form, discharge of registering entity, 72-6-308
- omission as parties, 72-3-1002
- 120-hour rule, 72-2-114
- outfitters' licenses as part of estate, 37-47-310
- partition, petition and notice, 72-3-914
- paternity proceedings, effect on, 40-6-108
- personal representative, appointment
    - notice, 72-3-603
    - priority, 72-3-502
- reentry by heirs, quiet title, 70-28-201
- remainders, meaning of heirs and issue, 70-1-518, 70-15-215
- representation, 72-2-113, 72-2-116
- state land sales, canceled certificates of purchase
    - improvements on land, effect on, 77-2-332
    - reinstatement, application, 77-2-333
- unemployment insurance benefits, continuation to, 39-51-2205

ESTATES AND PROBATE (Continued)
Heirs (Continued)

- unknown
  - judgment, effect, 25-3-505
  - parties, as, 25-3-504, 25-3-505; Title 25, chapter 20, M.R.Civ.P., Rule 4D
- usury, recovery of interest, 31-1-108
- veterans, waiver of burial benefits, 10-2-501
- vital statistics, certificates generally — data pertaining to father of child, 50-15-109
- workers' compensation
  - fellow employee, prosecution of action against, 39-71-413
  - laws binding on, 39-71-411
  - third party actions, prosecution, 39-71-412, 39-71-414
- worthier title doctrine abolished, 72-2-720

Illegitimate individuals, class gifts, 72-2-715
Incapacitated persons, 72-1-103, 72-1-201, 72-1-202, 72-5-101, See also **Conservators and conservatorship; GUARDIANS AND GUARDIANSHIP**
- elective share of surviving spouse, 72-2-223, 72-2-415
- nonademption of specific devises, 72-2-616
- nonprobate transfers, multiple-party accounts, Title 72, chapter 6, part 2

Indebtedness of estate, See **Claims against estate; Insufficiency of estate**
Indebtedness to estate
- conservator's authority, 72-5-427
- distribution of assets based on, valuation, 72-3-902
- foreign personal representative's authority, 72-4-306
- personal representative's authority, 72-3-613
- small estates, 72-3-1101
- successor's indebtedness, offset, 72-3-912

Independence of proceedings, 72-3-121
Informal probate and appointment proceedings
- application, 25-1-201, 72-1-103
  - additional information, 72-3-203
  - contents, 72-3-202, 72-3-203
  - defect, 72-3-215
  - interested person's right, 72-3-105
  - stay, 72-3-403
  - verification, 72-3-201
- appointment
  - authority conferred by, 72-3-611
  - clerk of court, duty to make, 72-3-225
- definitions, 72-1-103
- denial, 72-3-213, 72-3-214, 72-3-223, 72-3-224, 72-5-233
- findings of clerk of court, 72-3-212, 72-3-222
- formal proceedings
  - confirmation of informal appointment, 72-3-304
  - stay of informal appointment, 72-3-319
  - supersedes informal applications, 72-3-303, 72-3-523
- granting, 72-3-213
- intestacy, appointment in, 72-3-204
- necessity, 72-3-102
- notice, 72-3-211, 72-3-221
- prevention, 72-3-302
- previous probate, 72-3-213
- set-aside, 72-3-302
- special administrator, appointment, 72-3-701, 72-3-703, 72-3-705
- statement of informal probate, 72-3-215
- statute of limitation, 72-3-122, 72-3-203
- successor personal representative, appointment, 72-3-205

ESTATES AND PROBATE (Continued)
Informal probate and appointment proceedings (Continued)

- vacation, 72-3-523
- venue, 72-3-112, 72-3-202, 72-3-212, 72-3-222

Insufficiency of estate
- administration in more than one state, 72-3-821
- claims against estate
  - conservatorship, 72-5-433
  - priority for payment, 72-3-807, 72-3-821
  - statute of limitation, waiver when, 72-3-802
- death taxes, to pay, 72-16-608
- nonprobate transfers from multiple-party accounts, effect, 72-6-215
- trustor's estate, creditor's rights, 72-36-302

Insurance, See also **Governing instrument**
- assets of estate
  - insurance of, 72-3-613, 72-5-427
  - insurance proceeds as, 72-16-304
- augmented estate, 72-2-222
- beneficiary or beneficiary designation, 72-1-103
- conservator's authority, 72-5-427
- disability benefits, payment to estate, 33-22-212, 33-22-604
- insurance producer's estate, temporary license to dispose of property belonging to, 33-17-216, 33-17-217
- liability insurance, liability of decedent or personal representative — to establish, 72-3-803
- life
  - deceased beneficiary, substitute gift created in surviving descendants, 72-2-716
  - homicide, effect, 72-2-813
  - industrial, beneficiaries, 33-20-115
  - premarital agreements for ownership rights and disposition of benefits, 40-2-605
  - transfer in contemplation of death, nonapplicability, 72-16-301
- nonademption of specific devises, 72-2-616
- nonprobate transfers on death, 72-6-111
- personal representative's authority, 72-3-613
- protected persons
  - conservator
    - appointment, effect, 72-5-425
    - authority, 72-5-427
  - court's authority, 72-5-421, 72-5-422
- recovery of benefits, action for — when, 33-15-201
- testamentary additions to trusts, 72-2-531

Interest
- claims against estate, 72-3-805
- mere possibility not, 70-1-319
- pecuniary devises, on, 72-3-913
- usury, recovery of excessive interest, 31-1-108

Interested persons, 72-1-103
- accountings to, 72-3-1005
- agents, petition for review of employment or compensation, 72-3-634
- closing of estate
  - late discovery of property, petition for administration, 72-3-1016
  - petition for, 72-3-1001
- compromise, submission of agreement for approval, 72-3-132
- conservatorships, See **Conservators and conservatorship**
- elective share of surviving spouse, notice of hearing, 72-2-225
- exempt property and allowances, petition for relief, 72-2-415
- formal proceedings, 72-1-103
  - appointment, notice, 72-3-319

ESTATES AND PROBATE (Continued)
Interested persons (Continued)
  formal proceedings (Continued)
    fact of death in doubt, demand for notice of hearing, 72-3-306
    petition for orders, 72-3-105, 72-3-302
  homicide, petition for determination of individual's criminal accountability, 72-2-813
  informal proceedings, application for determination, 72-3-105, 72-3-213
  inheritance tax
    appraiser, application for appointment, 72-16-411
    determination, application for, 72-16-401
  in-kind payment of inheritance or estate taxes, 72-16-445 — 72-16-450
  inventory, copy to, 72-3-607, 72-3-609
  notice, 72-1-301, 72-1-303
    demand for, 72-3-106, 72-5-404
  orders, who bound, 72-3-111
  personal representative
    bond, demand by, 72-3-513, 72-3-514
    removal, petition for, 72-3-526
    resignation, notice, 72-3-525
    review of compensation and employment of other persons, 72-3-634
    surety, action for breach of obligation on bond, 72-3-516
  reformation of distribution, petition, 72-2-1004, 72-2-1006
  special administrator, application for appointment, 72-3-701
  supervised administration
    orders, application for, 72-3-405
    personal representative, duties and powers, 72-3-404
    petition for, 72-3-402
  voidable transactions with estate, 72-3-615
  wills
    delivery to, request, 72-2-536
    handwriting analysis, copy of expert's report, 72-12-407
    witness to, 72-2-525
Intestate succession, 72-2-111, See also **Heirs**
  administration, when no, 72-3-911
  adoption, effect, 40-8-125, 72-2-124
  advancements, 72-2-119, 72-3-911
  afterborn heirs, 72-2-118
  alienage, 72-2-121, 72-2-215
  appointment in intestacy, 72-3-204, 72-3-523, See also **Informal probate and appointment proceedings**
  class gifts, 72-2-715, 72-2-718
  closing of estate, See **Closing of estate**
  contract to die intestate, establishment, 72-2-534
  curtesy, abolishment, 72-2-122
  debt owed to decedent, 72-2-120
  devolution of estate, 72-3-101
  disclaimer, 72-2-813
  distribution, authority of personal representative, 72-3-611
  divorce, annulment, or decree of separation — effect, 72-2-812
  dower, abolishment, 72-2-122
  exempt property, effect, 72-2-413
  family allowance, effect, 72-2-414
  formal proceedings to determine, See **Formal testacy and appointment proceedings**
  future interests in "heirs" and like, 72-2-223, 72-2-717, 72-2-721
  half blood, kindred of, 72-2-117
  heirs, determination, See **Heirs**
  heirs other than surviving spouse, share of, 72-2-112, 72-2-113
  homestead allowance, effect, 72-2-412

ESTATES AND PROBATE (Continued)
Intestate succession (Continued)

- homicide, effect, 72-2-813
- informal proceedings, 72-3-204, See also **Informal probate and appointment proceedings**
- inheritance taxes, applicability of laws to lineal descendants, 72-16-313
- jury trial, 72-1-208
- kinship, degrees of, See **Heirs**
- no taker, 72-2-115
- omitted child, 72-2-332
- 120-hour rule, 72-2-114, 72-2-118
- parent and child relationship, 72-2-124
- partial intestacy, 72-3-315
- public administrator to take charge of estate, 72-15-102, 72-15-105, See **Public administrator**
- quiet title by heirs of deceased entrymen, 70-28-201
- real property, effect on possession, 70-19-414
- representation, 72-2-113, 72-2-116
- securities registered in beneficiary form, 72-6-310
- state, passes to, 72-2-114, 72-2-115, 72-2-721
- surviving spouse, 72-2-112, 72-2-331, 72-2-721
- survivorship requirement, 72-2-114
- two lines, relation through, 72-2-123
- waiver of rights, 72-2-224
- will, distribution by — applicability of laws, 72-1-103, 72-2-331

Inventories, 72-3-607, 72-16-401
- alien heirs, 72-2-215
- conservator, by, 72-5-424
- nonresident decedents, of, 72-4-303 — 72-4-305
- public administrator, by, 72-15-201
- revenue, department of — copy to, 72-3-607, 72-3-609, 72-4-303, 72-4-307, 72-16-401
- small estates, 72-3-1103
- supplementary, 72-3-609

Investigations
- death, when fact in doubt, 72-3-306
- escheated estates, discovery, 72-14-103

Investment of estate
- advisors, employment, 72-3-613, 72-3-634
- conservators, by, 72-5-427, 72-5-431
- escheated estates, 72-14-203
- health facility authority bonds, 90-7-113
- home owners' loan corporation or federal housing administrator issued bonds, 72-31-102
- personal representative, authority, 72-3-613
- public administrator, by, 72-15-205

Joinder of proceedings, 72-3-121

Joint tenants
- disclaimer of property interests, 72-2-811
- homicide by joint tenant, effect, 72-2-813
- inheritance tax, Title 72, chapter 16
- in-kind payment of inheritance or estate taxes, 72-16-445 — 72-16-450
- protected persons
  - consideration in administration of estate, 72-5-431
  - court's authority, 72-5-421
- right of survivorship, 72-1-103, 72-2-712, 72-2-811, 72-2-813, 72-2-814, 72-6-302
- securities, registration in beneficiary form, 72-6-302
- termination of joint tenancy, 72-3-631, 72-3-633, 72-16-501

ESTATES AND PROBATE (Continued)

Judgments, See also **Execution against**; **Orders**
  claim against estate, as, 25-9-103
  declaratory, availability, 27-8-202, 27-8-204
  effect, 26-3-201
  elective share of surviving spouse, 72-2-225
  execution, 25-13-103, 25-13-306
  future damages, periodic payment — property of estate, 25-9-403
  jurisdiction of court, 72-1-202
Jury trial, 72-1-208
Kinship
  adoption, See **Adoption**
  antilapse, 72-2-613
  degrees of kinship, See **Heirs**
  dissolution or annulment of marriage, revocation of probate or nonprobate transfers by, 72-2-814
  future interests in "heirs" and like, 72-2-223, 72-2-717, 72-2-721
  half blood, 72-2-117, 72-2-715
  intestate succession, 72-2-113, See **Heirs**; **Intestate succession**
  worthier title doctrine abolished, 72-2-720
Lapse
  antilapse, 72-2-613
  devolution of estate, substitutes, 72-3-101
  trusts, testamentary additions, 72-2-531
Leases, 72-1-103
  personal representative's authority, 72-3-613
  protected persons
    conservator's authority, 72-5-427
    court's authority, 72-5-422
  protection of lessee, 72-3-907
Legacy, See **Devise and devisees**; **Distribution and distributees**; **Wills**
Letters testamentary, See **Personal representative**
Liens
  child support, 40-5-242
  claims against estate, effect, 72-3-803, 72-3-812, 72-3-813
  conservator's authority, 72-5-427
  estate tax, for, 72-16-911
  inheritance tax, of, Title 72, chapter 16
  judgment after death of decedent, not a lien, 25-9-103
  nonprobate transfers, multiple-party accounts — financial institutions, 72-6-227
  personal representative's authority, 72-3-613, 72-3-614, 72-3-812
  salaries and wages, for — claims, priority, 71-3-302
  small estates, 72-3-1103, 72-3-1104
Life estates, See also **PROPERTY, REAL**
  attorneys' fees, 72-3-633
  cultural and aesthetic projects, matches for challenge grants, 22-2-309
  inheritance tax, Title 72, chapter 16
  personal representative's compensation, 72-3-631
  principal and income, determination, 72-34-404 — 72-34-406
  remainders when limited to heirs of life estate, 70-15-215
Limited liability companies, Title 35, chapter 8
Location of property, determination, 72-3-113
Lottery, state — prizes, payment to deceased winner's estate, 23-7-311
Medical record information, Title 50, chapter 16, parts 5 and 6
Minors, 72-1-103, 72-1-201, See also **Child**
  adoption, See **Adoption**

ESTATES AND PROBATE (Continued)
Minors (Continued)

- class gifts, 72-2-715
- compromise, execution by parents, 72-3-132
- conservatorship, See **Conservators and conservatorship**
- contracts of, disaffirmance by heirs or personal representative, 41-1-304
- distribution, authority of personal representative, 72-3-611, 72-3-917
- escheated property, statute of limitation on recovery, 72-14-302
- fiduciary deposit of estate when, 72-14-401
- guardians of, See **GUARDIANS AND GUARDIANSHIP**
- interested person, 72-1-103, See **Interested persons**
- jurisdiction of court, 72-1-202
- nonprobate transfers, multiple-party accounts — payment, 72-6-225
- personal representative
  - contracts, disaffirmance, 41-1-304
  - custodial parent, priority, 72-3-502
  - prohibited as, 72-3-501
- public employees' retirement system benefits, 19-2-803, 19-3-1204
- transfers to, Title 72, chapter 26
- wills, making prohibited, 72-2-521

Missing persons, See **Presumed decedents; MISSING PERSONS**
Mistake, See **Defect**
Mortgages, 72-1-103
- claims against estate, effect, 72-3-803, 72-3-812 — 72-3-814
- conservator
  - authority, 72-5-427
  - security in lieu of bond, 72-5-411
- devises, specific — nonademption, 72-2-616
- discharge, 71-1-213
- inheritance tax
  - alternate valuation, effect, 72-16-331
  - nonresident decedents, See **TAXATION, ESTATES, Inheritance tax**, nonresident decedents
- nonprobate transfers on death, 72-6-111
- personal representative
  - authority, 71-1-210, 71-1-213, 72-3-613, 72-3-812
  - bond secured by, 72-3-515
- protected persons
  - conservator's authority, 72-5-427
  - court's authority, 72-5-422
- renewal, 71-1-210

Motor vehicles
- certificate of ownership, transfer of interest, 61-3-201
- dealerships, succession to, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Dealers and wholesalers**, succession to ownership
- off-highway vehicle certificate of ownership, transfer of interest, 23-2-812

Multiple proceedings, 72-1-203
Negotiable instruments
- acquisition of instrument from estate, status of holder, 30-3-302
- location of property, 72-3-113
- payable to estate, 30-3-126

Next of kin, See **Heirs; Intestate succession; Kinship**
Nonprobate transfers, See also **Insurance; Pension, profit-sharing, or retirement benefits**
- death, on, 72-6-111

ESTATES AND PROBATE (Continued)
Nonprobate transfers (Continued)

- multiple-party accounts
  - agency designation, 72-6-203 — 72-6-205
    - financial institution, authority, 72-6-221
    - ownership during lifetime, 72-6-211
    - payment to agent, 72-6-224, 72-6-226
  - alteration of rights, 72-6-213, 72-6-216
  - community property, 72-6-216
  - creditors' rights, 72-6-215
  - death, rights at, 72-6-212, 72-6-213
  - definitions, 72-6-201, 72-6-211
  - existing, 72-6-203
  - financial institution, 72-6-201
    - accounts, payment on, 72-6-222
    - agent, payment to, 72-6-224
    - authority, 72-6-221
    - discharge, 72-6-226
    - liability, 72-6-206
    - minor, payment to, 72-6-225
    - POD designation, payment on, 72-6-223
    - setoff, 72-6-206, 72-6-227
  - forms, 72-6-203, 72-6-204
  - limitation on scope of provisions, 72-6-202
  - nontestamentary, 72-6-214
  - ownership, 72-6-206
    - lifetime, during, 72-6-211
    - surviving party or beneficiary or decedent's estate, right, 72-6-212
  - POD designation, 72-6-201, 72-6-203, 72-6-204
    - alteration of rights, 72-6-213
    - creditors' rights, 72-6-215
    - financial institution, authority, 72-6-221
    - ownership during lifetime, 72-6-211
    - payment on, 72-6-223
    - rights at death, 72-6-212
  - tenancy by entireties, 72-6-216
  - types, 72-6-203, 72-6-213
- revocation by divorce or annulment, 72-2-814
- securities, registration in beneficiary form
  - applicability of provisions, 72-6-311
  - applicable law, 72-6-303
  - beneficiary or beneficiary designation, 72-1-103
  - definitions, 72-6-301
  - effect, 72-6-306
  - form of registration, 72-6-305
  - governing instrument, 72-1-103, See also **Governing instrument**
  - nontestamentary transfer on death, 72-6-309
  - origination, 72-6-304
  - ownership
    - death of owner, on, 72-6-307
    - sole or joint tenancy, 72-6-302, 72-6-310
  - registering entity, 72-6-301
    - protection, 72-6-308
  - terms, conditions, and forms, 72-6-310
- "trust" defined, 72-1-103

Nonprofit corporations

- "entity" and "individual" defined, 35-2-114

ESTATES AND PROBATE (Continued)
Nonprofit corporations (Continued)

- indemnification of directors, 35-2-446
- members, signature of fiduciary for, 35-2-542

Nonresident decedents, 72-1-103
- ancillary administration, See **Ancillary administration**
- applicability of laws, 72-1-201
- domicile, conflicting claims over, 72-3-114
- elective share of surviving spouse, 72-2-221
- exempt property and allowances, 72-2-411
- informal probate or appointment proceedings, 72-3-223, 72-3-225
- inheritance tax, Title 72, chapter 16
- testacy, orders of domiciliary state — effect, 72-3-312
- venue, 72-3-112 — 72-3-114

Nonresident heirs, 72-2-121, 72-2-215

Notice, 72-1-301
- ancillary administration, See **Ancillary administration**
- attorneys' fees, increase, 72-3-633
- claims against estate, See **Claims against estate**
- closing of estate, See **Closing of estate**
- conservatorship, See **Conservators and conservatorship**
- demands for, 72-1-204, 72-1-206, 72-3-106
- dissolution or annulment of marriage or remarriage, 72-2-814
- elective share of surviving spouse
  - hearing, 72-2-225
  - petition for, filing, 72-2-222
- escheated estates, See **Escheated estates**
- formal testacy and appointment proceedings, See **Formal testacy and appointment proceedings**
- handwriting analysis of wills, 72-12-402, 72-12-403
- homicide of decedent, claimed forfeiture or revocation, 72-2-813
- informal probate and appointment proceedings, 72-3-211, 72-3-221
- inheritance tax, Title 72, chapter 16
- nonresident decedents
  - inheritance tax, 72-4-304, 72-16-803
  - resident creditor notice, 72-4-308
- 120-hour rule, claimed lack of entitlement, 72-2-712
- partition proceedings, 72-3-914
- personal representative
  - agents, review of employment, 72-3-634
  - appointment, of, 72-3-603, 72-3-801
  - claims, to present, 72-3-801
  - compensation, review, 72-3-634
  - conflict of interest, transactions involving, 72-3-615
  - formal testacy proceedings, 72-3-305
  - informal probate, 72-3-211
  - removal for cause, to, 72-3-526
  - resignation, of, 72-3-525
  - restraining order, 72-3-617
  - surety of, to, 72-3-516
  - to, of any proceeding, 72-3-511
- public administrator
  - property subject to loss or waste, 72-15-106
  - stranger's death, 72-15-105
- special administrator, appointment, 72-3-701
- supervised administration, 72-3-402, 72-3-403
  - closing, 72-3-406

ESTATES AND PROBATE (Continued)
Notice (Continued)

  waiver, 72-1-302
  who bound, 72-1-303, 72-3-111
Oath or affirmation to accompany each filed document, 72-1-206, 72-31-101
Off-highway vehicle certificate of ownership, transfer of interest, 23-2-812
Omissions, See also **Defect**
  child, in will, 72-2-332, 72-3-611
  intestate succession, omission of heirs in formal order, 72-3-317
  parties, heirs or devisees as, 72-3-1002
120-hour rule, 72-1-108, 72-2-114, 72-2-118, 72-2-712, 72-3-215, 72-3-225, See also **Simultaneous death**
Orders, 72-1-303
  claims against estate, payment, 72-3-808
  closing of estate, 72-3-1015
    complete settlement, 72-3-1001 — 72-3-1003
  conservatorship, for, See **Conservators and conservatorship**
  effect, 26-3-201
  elective share of surviving spouse, 72-2-225
  formal testacy and appointment proceedings, See **Formal testacy and appointment proceedings**
  jurisdiction of court, 72-1-202, 72-3-111
  notice of, 72-3-106
  "petition" defined, 72-1-103
  records, 7-4-2613, 72-1-204
  small estates, closing, 72-3-1104
Organ donation, Title 72, chapter 17
Outfitters' licenses, use following death of outfitter, 37-47-310
Parents, 72-1-103
  child support, death of parent — effect, 40-4-208, 40-6-213
  conservatorship, See **Conservators and conservatorship**, incapacitated persons; minors
  disability, persons under — distribution to parent, 72-3-917
  intestate succession, 40-8-125, 72-2-113, 72-2-116, 72-2-124, See **Intestate succession**
  parent and child relationship, 72-2-124
  parent-child legal relationship termination, effect, 41-3-611
  paternity actions, determination of venue, 40-6-109
  personal representative, custodial parent as — priority, 72-3-502
  representation of child, 72-1-303
Partition of estate land, See also **PARTITION**
  appeal, Title 25, chapter 21, M.R.App.P., Rule 1
  conservator, by, 72-5-427
  distribution, for, 72-3-914
  personal representative, by, 72-3-613
Partnerships
  death of partner, See **PARTNERSHIPS**
  nonprobate transfers, multiple-party accounts — nonapplicability, 72-6-202
Paternity actions, determination of venue, 40-6-109
Pension, profit-sharing, or retirement benefits, See also **Governing instrument**
  augmented estate, 72-2-222
  beneficiary, 72-1-103
  deceased beneficiary, substitute gift created in surviving descendants, 72-2-716
  fire department relief association death benefits, payment to estate, 19-18-607
  firefighters' unified retirement death benefits, payment to estate, 19-13-903
  highway patrol officer's retirement allowance, payment to estate, 19-6-505
  nonprobate transfers on death, 72-6-111
  perpetuities, statutory rule against — exclusions, 72-2-1005
  police officers' retirement death benefits, payment to estate, 19-9-1102

ESTATES AND PROBATE (Continued)
Pension, profit-sharing, or retirement benefits (Continued)

- public employees' retirement benefits, estate as beneficiary, 19-2-803, 19-2-804
- teachers' retirement contributions, payment to estate, 19-20-602, 19-20-1001

Perpetuities, statutory rule against, 72-2-1002
- application and construction, 72-2-1006, 72-2-1007
- citation of uniform statutory rule against perpetuities, 72-2-1001
- exclusions, 72-2-1005
- nonvested property interest or power of appointment, 72-2-1002 — 72-2-1006
- prospective application, 72-2-1006
- reformation of disposition, 72-2-1004, 72-2-1006
- violation, effect, 72-2-1006

Personal representative, 72-1-103, 72-26-502
- acceptance of
  - acts prior to appointment, 72-3-601
  - appointment, 72-3-225, 72-3-511, 72-3-512
  - assets, 72-3-613
- accountants, disclosure of information, 37-50-402
- accounting by, 72-1-109
  - appeal, Title 25, chapter 21, M.R.App.P., Rule 1
  - small estates, 72-3-1104
  - termination of appointment, upon, 72-3-521, 72-3-522
- actions by or against, See **Actions by or against personal representative**
- agents, employment or compensation, 72-3-613, 72-3-634
- alcoholic beverage license transferred to, when, 16-4-204, 16-4-404
- alien heirs, report, 72-2-215
- appeals permitted, Title 25, chapter 21, M.R.App.P., Rule 1
- appointment, 72-3-103
  - acceptance, 72-3-511, 72-3-512
  - authority conferred by, 72-3-601
  - certificate of, 3-1-206
  - claims against estate
    - creditor, priority for appointment, 72-3-502
    - enforcement, required before, 72-3-104
  - conservators
    - appointment terminates personal representative, 72-3-522
    - as personal representative, 72-5-429
    - rights of, 72-3-505
  - denial, conclusion of proceeding, 72-3-121
  - dissolution or annulment of marriage, revocation of nomination, 72-2-814
  - domiciliary personal representative, 72-3-506
  - error in, 72-3-602, Title 25, chapter 21, M.R.App.P., Rule 13
  - fee, 25-1-201
  - foreign personal representative, See **Ancillary administration**
  - formal proceeding, See **Formal testacy and appointment proceedings**
  - guardians, rights of, 72-3-505
  - homicide of decedent, effect, 72-2-813
  - informal proceedings, 72-1-103, See **Informal probate and appointment proceedings**
  - intestacy, in, 72-3-204
  - joinder of proceedings, 72-3-121
  - late discovery of property, 72-3-1016
  - nomination, 72-3-102, 72-2-813, 72-2-814, 72-3-314, 72-3-504
  - notice, 72-3-603, 72-3-801
  - objections to, 72-3-503, 72-3-505
  - order of appointment, 72-3-121
  - prior appointment, effect, 72-3-213

ESTATES AND PROBATE (Continued)
Personal representative (Continued)
- appointment (Continued)
    - priority, 72-3-204, 72-3-221, 72-3-222, 72-3-502, 72-3-503
        - domiciliary personal representative, 72-3-506
        - formal adjudication, 72-3-319, 72-3-507
        - letters, among, 72-3-602
        - no priority, 72-3-507
        - notice requirements, 72-3-221
        - successor personal representatives, 72-3-508
        - supervised administration, adjudication, 72-3-402
        - two or more persons, sharing, 72-3-504
    - probate required for, 72-3-102
    - public administrator as, upon termination of office, 72-15-302
    - renunciation, 72-3-504
    - several instruments, which controls, 72-3-314
    - special administrator, See **Special administrator**
    - subsequent administration, 72-3-1016
    - successor personal representative, 72-3-205
    - supervised personal representative, See **Supervised administration**
    - termination or vacation, 72-3-521 — 72-3-526
- appraisal of property, 37-51-103, 72-3-607, 72-4-303
- artist and art dealer relationship, Title 22, chapter 2, part 5
- attachment, service of writ upon, 27-18-412
- authority
    - accrual and relation back, 72-3-601
    - corepresentatives, 72-3-623, 72-3-624
    - foreign personal representatives, 72-4-309 — 72-4-311
    - successor, 72-3-621
    - surcharge for acts prohibited, 72-3-611
    - termination, 72-3-521
    - territorial extent, 26-3-203
- banks
    - consolidation, status of trust in, 32-1-371
    - securities, deposit, 32-1-425 — 32-1-427
    - subsidiary trust company as representative, 32-1-802, 32-1-807
    - trust company as representative, 32-1-107
- beneficiary, as, 72-3-1005
- boat certificate of ownership, transfer of interest, 23-2-510
- bond, See also **SURETY BONDS, Official bonds**
    - amount and reduction, 72-3-515
    - demand by interested person, 72-3-514
    - failure to give bond, 72-1-109, 72-3-514
    - filing, 72-3-512
    - foreign personal representative, 25-1-201, 72-4-303, 72-4-304, 72-4-309
    - required when, 72-3-512, 72-3-513
    - terms, 72-3-516
- breach of duty, 72-3-616
    - actions, statutes of limitations, 45-1-205, 72-3-1011
    - claims, improper payment, 72-3-808
    - notice of appointment, failure to give information, 72-3-603
    - trustees, distributions to — negligence not inferred from failure to exercise authority, 72-3-916
- building and loan association stock, association repurchase from, 32-2-245
- burial arrangements by, 10-2-501, 72-3-601
- care, duty of, 72-3-610
- charitable trusts, enforcement prohibited, 72-33-503

ESTATES AND PROBATE (Continued)
Personal representative (Continued)

- claims against decedent's estate, duties, See **Claims against estate**, generally
- close corporations, shares
  - compulsory purchase by corporation, 35-9-205 — 35-9-208
  - transfer, 35-9-202
- closing of estate, duties, See **Closing of estate**, generally
- community property
  - perfection of title, 72-9-108, 72-9-109
  - purchaser for value or lender, rights, 72-9-110
- compensation, 72-3-613
  - attorneys employed by, 72-3-633
  - bequest in lieu of, 72-16-305
  - claims against estate, effect, 72-3-803
  - closing of estate, failure to close — effect, 72-3-1015
  - expenses, 72-3-632, 72-3-803
  - judge or justice as representative, compensation prohibited, 3-1-601
  - refund, 72-3-634
  - review, 72-3-634
- compromise
  - agreement, submission for approval, 72-3-132
  - claims against estate, by, 72-3-815
- conflict of interest, 72-3-613, 72-3-615
- conservatorship, See **Conservators and conservatorship**
- contracts, 72-3-612, 72-3-613, 72-3-631, 72-3-803
- corepresentatives
  - joint action, 72-3-622
  - protection of persons dealing with, 72-3-623
  - remaining corepresentative, authority, 72-3-624
- corporations
  - authorized transactions, 72-3-613
  - indemnification, 35-1-451 — 35-1-459
  - oaths by, 72-31-101
  - professional corporations, amendment of articles of incorporation, 35-4-312
  - vote, consent, proxy appointment, or waiver — acceptance or rejection, 35-1-527
- costs and expenses, payment by, 72-3-613, 72-3-915
- county road improvement district petitions, signing when, 7-14-2702
- death, 72-3-205, 72-3-522
- deed of distribution, execution, 72-3-904, 72-3-907
- delivery of assets, 72-3-606, 72-3-613, 72-3-618
  - foreign personal representative, 72-4-201, 72-4-303, 72-4-306 — 72-4-308
  - successor personal representative, 72-3-521, 72-3-522, 72-3-525
- deposit of assets when interested person unable to take, 72-14-401
- disability, 72-3-522
- disclaimer of property interests, 72-2-811
- distributee, as, 72-3-907
- distribution, See **Distribution and distributees**
- drainage district elections, voting rights, 85-8-305
- elective share of surviving spouse, petitions to, 72-2-225
- escheated estate, duties, 72-14-205 — 72-14-207
- exempt property, selection, 72-2-415
- expeditious settlement by, 72-3-605, 72-3-610, 72-3-621
- family allowance, selection, 72-2-415
- farm implements dealership ownership, succession, Title 30, chapter 11, part 8
- fiduciary, 72-1-103, 72-3-610
- foreign jurisdiction, 26-3-203

ESTATES AND PROBATE (Continued)
Personal representative (Continued)

- foreign personal representative, See **Ancillary administration**
- fraternal benefit societies, right of indemnification or reimbursement, 33-7-307
- funeral and burial arrangements by, 72-3-601
- health care information, authority, 50-16-522
- homestead allowance, selection, 72-2-415
- informal probate, notice, 72-3-211, See **Informal probate and appointment proceedings**
- injunction to restrain acts of, 72-3-304, 72-3-521
- interested persons
  - defined as, 72-1-103, See **Interested persons**
  - notice, demand — copy to, 72-3-106
- interest, recovery when excessive, 31-1-108
- inventory of property, 72-3-607, 72-3-609
  - foreign personal representative, 25-1-201, 72-4-303 — 72-4-305
- investment of funds from estate, 72-3-613, 72-31-102, 90-7-113
- irrigation district elections, voting rights, 85-7-1710
- judge or justice as, restrictions, 3-1-601
- judgments
  - declaratory, availability to determine powers, 27-8-204
  - enforcement, 25-13-103, 25-13-306
- jurisdiction of court, See **Court**
- letters, 72-1-103, 72-3-103
  - appeal, Title 25, chapter 21, M.R.App.P., Rule 1
  - certified copies, 72-1-204
  - foreign personal representative, 25-1-201, 72-4-303
  - prerequisites, 72-3-512
  - priority among, 72-3-602
  - public administrators, effect on, 72-15-202
  - supervised personal representative, 72-3-404, 72-3-618
- liability, 72-3-612
  - breach of duty, 72-3-616
  - claims against estate, improper payment, 72-3-808
  - distribution, after, 72-3-104
  - insurance, 72-3-613
  - limitation, 72-1-109
  - notice to creditor to present claims, 72-3-801
  - termination of appointment, effect, 72-3-521; Title 25, chapter 21, M.R.App.P., Rule 13
- local personal representative, 72-4-101, See **Ancillary administration**
- medical record information, authority, 50-16-522
- midwife-client privilege, release of information and actions from claims, 37-27-310
- minors
  - contracts, disaffirmance, 41-1-304
  - transfers to, 72-26-502, 72-26-605, 72-26-606
- motor vehicles
  - accident reports, examination by, 61-7-114
  - certificate of ownership, transfer by, 61-3-201
- nonprobate transfers
  - multiple-party accounts
    - financial institution, notice concerning payment by, 72-6-226
    - payment to, 72-6-222, 72-6-223
    - surviving party or beneficiary receiving payment, liability, 72-6-215
  - securities registered in beneficiary form, discharge of registering entity — affidavit, 72-6-308
- nonprofit corporations
  - indemnification, 35-2-446

ESTATES AND PROBATE (Continued)
Personal representative (Continued)
- nonprofit corporations (Continued)
  - vote, consent, proxy appointment, or waiver — acceptance or rejection, 35-2-542
- notarial acts, Title 1, chapter 5, part 6, See **NOTARIES PUBLIC**
- notice, See **Notice**
- off-highway vehicle certificate of ownership, transfer by, 23-2-812
- orders binding, 72-1-303
- outfitters' licenses as part of estate, 37-47-310
- partition by, 72-3-914
- paternity, action by, 40-6-107
- possession of property, 72-3-606
- powers and duties generally, 72-3-225; Title 72, chapter 3, part 6
  - declaratory judgments, availability to determine powers, 27-8-204
  - supervised administration, 72-3-403, 72-3-404
  - termination of appointment, 72-3-521, 72-3-523
- preexisting estates, 72-1-107
- principal and income, determination, 72-34-402, 72-34-404, 72-34-406
- professional corporations, amendment of articles of incorporation, 35-4-312
- professional counselor-client privilege, release of information and actions from claims, 37-23-301
- protection of persons dealing with, 72-3-618, 72-3-623, 72-4-307; Title 25, chapter 21, M.R.App.P., Rule 13
- public administrator as, upon termination of office, 72-15-302, See also **Public administrator**
- public servant, defined as, 45-2-101, See **CRIMES**, **Public officers and employees**
- purchase from estate by, 72-3-613, 72-3-615
- qualifications, 72-3-103, 72-3-501, 72-3-512
  - formal adjudication, 72-3-319, See **Formal testacy and appointment proceedings**
  - informal appointment subject to, 72-3-225
  - successor personal representative, 72-3-522
  - supervised administration, 72-3-402
- quiet title action by, 70-28-204
- railroads
  - corporation stock, claim for installments in default, 69-14-505
  - employee death or injury, liability to personal representative for damages, 69-14-1006
- ratification of acts
  - holder of general power, by, 72-1-109
  - prior to appointment, 72-3-601
  - vacation of appointment, Title 25, chapter 21, M.R.App.P., Rule 13
- real estate broker and salesman provisions, exemption, 37-51-103
- recovery of
  - interest, excessive, 31-1-108
  - property, 27-2-304, 27-2-401, 72-3-606, 72-3-614, 72-3-905
- removal, 72-3-205, 72-3-319, 72-3-514, 72-3-526
- resignation, 72-3-205, 72-3-223, 72-3-525
- restraint by
  - bond, filing or cessation of requirements — prior to, 72-3-514
  - declaratory judgment, 27-8-204
  - formal proceedings, 72-3-304
  - injunction, 72-3-521
  - restraining order, 72-3-304, 72-3-521, 72-3-617
  - termination, 72-3-521
- sales by
  - authority, 72-3-613
  - partition of property, when not possible, 72-3-914
  - taxes, for payment, 72-16-436
  - validation, 72-31-103

ESTATES AND PROBATE (Continued)
Personal representative (Continued)

- security for fiduciary performance, 72-3-513, 72-3-515, 72-3-1014
- service of process on, Title 25, chapter 20, M.R.Civ.P., Rules 4B, 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  - foreign personal representative, 72-4-203
- small estate
  - closing, 72-3-1103, 72-3-1104
  - personal property, collection by affidavit, 72-3-1102
- snowmobile certificate of ownership, transfer of interest, 23-2-612
- social worker-client communications, release of information and actions from claims, 37-22-401
- special administrator, See **Special administrator**
- spouse, capacity as, 40-2-108, 72-3-502
- successor personal representative, 72-1-103, 72-3-527, 72-3-621
  - appointment, 72-3-514, 72-3-522, 72-3-523, 72-3-527
    - application, 72-3-205
    - priority, 72-3-508
  - delivery of assets to, 72-3-521, 72-3-522, 72-3-525
  - late discovery of property, subsequent administration, 72-3-1016
  - qualification, 72-3-522, 72-3-527
  - recovery of property, 72-3-1013
  - surety, action for breach of obligation on bond, 72-3-516
- suicide note of deceased, 7-4-2917
- supervised administration, 72-3-401 — 72-3-405, 72-3-605, 72-3-611, 72-3-618, 72-3-1104
- tax duties
  - accounting, to furnish, 72-16-401
  - appeal by, 72-16-403
  - apportionment of tax, See **TAXATION, ESTATES, Apportionment of taxes**
  - appraisal, copy to, 72-16-412
  - appraiser, compensation of, 72-16-413
  - collection, power of, 72-16-436
  - compromise by, 72-16-209
  - distributions to, 72-16-305
  - fees, deduction, 72-16-308
  - foreign personal representatives, 72-16-612, 72-16-701, 72-16-802
  - income tax, See generally **TAXATION, INDIVIDUAL INCOME**
  - in-kind payment of inheritance or estate taxes, 72-16-445 — 72-16-450
  - inventory of property, 72-3-607
  - liability, 72-16-432, 72-16-908
  - nonresident decedents, 72-16-802
  - notice to, 72-16-402, 72-16-423
  - payment by, 72-3-606, 72-3-613, 72-3-915
  - property taxes, assessment to, 15-8-502, 15-8-503
  - receipt for payment to, 72-16-434, 72-16-437
  - refund, verification of claim, 15-16-603
  - transfers to, subject to tax, 72-16-305
- termination of appointment
  - closing of estate, upon, 72-3-524, 72-3-1001, 72-3-1003, 72-3-1004
  - death or disability of personal representative, by, 72-3-522
  - effect, 72-3-521; Title 25, chapter 21, M.R.App.P., Rule 13
  - foreign personal representative, applicability of laws, 72-4-401
  - informal appointment, 72-3-225, 72-3-313
  - notice, 72-3-525, 72-3-526
  - purchases from distributees, effect, 72-3-907
  - removal for cause, 72-3-319, 72-3-526
  - retroactive vacation, 72-3-225

ESTATES AND PROBATE (Continued)
Personal representative (Continued)
  termination of appointment (Continued)
    small estates, 72-3-1104
    special administrator, 72-3-705
    testacy status, change of, 72-3-523
    voluntary, 72-3-525
  third parties, protection of transactions with, 72-3-618
    corepresentatives, 72-3-623
    distributee, when personal representative is, 72-3-907
    foreign personal representatives, 72-4-307, 72-4-308, 72-4-311
    insurance against liability, 72-3-613
    restrictions on authority, 72-3-404
    small estates, collection of personal property by affidavit, 72-3-1102
  title to property, determination, 72-3-606
  torts, liability, 72-3-612
  transactions authorized, 72-3-613
  trust laws, applicability, 72-1-103, 72-3-610, 72-3-615, 72-3-616, 72-33-108
  usury, recovery of interest, 31-1-108
  utilities, underground — excavations near, Title 69, chapter 4, part 5
  veterans, waiver of burial benefits, 10-2-501
  water conservancy districts, voting rights, 85-9-421
  wills
    bond requirement, 72-3-513
    compensation provision, 72-3-631
    designation by, 72-3-502
  who may not be, 72-3-501
  workers' compensation
    employer, as, 39-71-117
    fellow employee, prosecution of action against, 39-71-413
    laws binding on, 39-71-411
    third party actions, prosecution, 39-71-412, 39-71-414
  wrongful death of decedent, action by, 27-1-307, 27-1-308, 27-1-513
Petroleum storage tank releases, cleanup, Title 75, chapter 11, part 3
Pleadings, 72-1-303
Pledges
  claims against estate, effect, 72-3-803, 72-3-812, 72-3-813
  conservator
    authority, 72-5-427
    security in lieu of bond, 72-5-411
  disclaimer of property interests barred by, 72-2-811
  personal representative
    authority, 72-3-613, 72-3-812
    bond secured by, 72-3-515
Possession of estate by
  conservator, 72-5-425 — 72-5-427
  personal representative, 72-3-606, 72-3-613
Power of appointment, See also **PROPERTY; TRUSTS**
  antilapse, 72-2-613
  augmented estate, 72-2-222
  default, "beneficiary" defined, 72-1-103
  disclaimer of property interests, 72-2-811
  dissolution or annulment of marriage, revocation by, 72-2-814
  future interest under terms of a trust, 72-2-717
  holders of general power, acts by, 72-1-109
  homicide, effect, 72-2-813
  inheritance tax, transfers under, 72-16-302

ESTATES AND PROBATE (Continued)
Power of appointment (Continued)

- instrument creating or exercising, See **Governing instrument**
- 120-hour rule, effect, 72-2-712
- orders binding one binds another, 72-1-303
- perpetuities, statutory rule against, 72-2-1002 — 72-2-1006
- protected persons, court's powers, 72-5-421
- specific reference to, 72-2-714
- transfer, 72-2-222
- will, exercise of power, 72-2-618

Power of attorney
- "agent" defined, 72-1-103
- "beneficiary" defined, 72-1-103
- disclaimer of property interests, 72-2-811
- durable power of attorney, 72-1-103, 72-2-616, 72-5-501, 72-5-502
- elective share of surviving spouse, 72-2-223
- instrument creating or exercising, See **Governing instrument**
- nonprobate transfers, multiple-party accounts — agency designation, Title 72, chapter 6, part 2
- revocation, 72-5-502
- statutory, authority, 72-31-201, 72-31-231

Predeceased successors
- disclaimer of property interests, 72-2-811
- intestate succession, 72-2-116
- 120-hour rule, 72-2-114, 72-2-712
- trusts, testamentary additions to, 72-2-531

Preexisting estates, 72-1-107
Premarital agreements, 40-2-605, 72-2-1005
Presumed decedents, 72-1-201, See also **MISSING PERSONS**
- death, presumption, 26-1-602, 26-1-622, 26-1-623, 72-1-108
- distribution of unclaimed assets and escheat, 72-3-918
- formal testacy proceedings, notice to, 72-3-306, 72-3-317
- proceedings, statute of limitation, 72-3-122
- recovery of estate, 72-3-317

Principal and income determination, 72-34-404 — 72-34-406
Probate estate, See also **Intestate succession**
- augmented estate, 72-2-222
- elective share of surviving spouse, 72-2-221 — 72-2-223, 72-2-227

Profit-sharing benefits, See **Pension, profit-sharing, or retirement benefits**
Protected persons and protective proceedings, 72-5-101, See **Conservators and conservatorship**
Public administrator, 7-4-3004, 72-16-101; Const., XI, 3, See also **COUNTY OFFICERS**, generally
- accountings, 72-15-201, 72-15-206, 72-15-207
  - conflict of interest, report, 72-15-211
  - court order, 72-15-203, 72-15-208
  - personal representative's appointment, upon, 72-15-202
  - termination, upon, 72-15-302, 72-15-303
- appointment, 7-3-441, 7-4-2203
- attorney's fees, 72-15-301
- bond, 72-15-103, 72-15-208, 72-15-213
- city-county consolidated government department of law, duties of director, 7-3-1341
- compensation, 7-4-2501, 72-15-301, 72-15-304, 72-16-211, 72-16-214; Const., XI, 3
  - accounting, 72-15-207
  - register, information in, 72-15-204
- conflict of interest, 72-15-211
- conservator, appointment, 72-5-410, 72-5-415, 72-15-301

ESTATES AND PROBATE (Continued)
Public administrator (Continued)

- deposit of money with county treasurer, 72-14-202, 72-15-205, 72-15-206, 72-15-212, 72-15-213
- distribution, 72-15-203, 72-15-204
- election of, 7-3-441, 7-4-2203, 13-12-207; Const., XI, 3
- escheated estates
  - deposit or payment of money, 72-14-202, 72-15-213
  - sale of property, 72-14-204, 72-15-212
- fees paid by, 72-15-210
- final settlement, 72-15-212, 72-15-213
- inheritance tax duties, Title 72, chapter 16
- in-kind payment of inheritance or estate taxes, 72-16-445 — 72-16-450
- inventory by, 72-15-201
- investment of estate assets, 72-15-205, 90-7-113
- letters of administration, 72-15-102, 72-15-103, 72-15-107, 72-15-204, 72-15-302
- loss or waste, when property subject to — notice, 72-15-106
- misappropriation of estate by third parties, 72-15-109, 72-15-110
- notice
  - loss or waste, when property subject to, 72-15-106
  - stranger's death, 72-15-105
- oath
  - administering by, 72-15-209
  - of, 72-15-103
- personal representative
  - as, 72-3-502, 72-15-302
  - delivery of estate to, 72-15-202
- public employees' retirement system, participation, 19-3-520
- recovery of property
  - action for, 72-15-104
  - register, information in, 72-15-204
- register, duty to keep, 72-15-204
- sale of property
  - bond required when, 72-15-103
  - escheated property, order, 72-14-204, 72-15-212
  - final settlement, at, 72-15-212
  - register, information in, 72-15-204
- statement describing property, demand for, 72-15-107, 72-15-108
- stranger's death, notice, 72-15-105
- successor, 72-15-303, 72-15-304
- supervision by court, 72-15-201
- supplemental provisions, 72-15-101
- termination, 72-15-302 — 72-15-304
- when to take charge of estate, 72-15-102

Quiet title, heirs of deceased entryman, Title 70, chapter 28
Real estate broker and salesman provisions, exemption from, 37-51-103
Receivers, administration by, Title 25, chapter 20, M.R.Civ.P., Rule 66
Reclaimable estate
- augmented estate, 72-2-222
- elective share of surviving spouse, 72-2-221 — 72-2-223, 72-2-225, 72-2-227

Records required, 3-5-513, 7-4-2613, 72-1-204
- conservatorship, 72-1-204, 72-5-424
- revenue, department of — furnished to, 72-16-216
- wills, 7-4-2613, 7-4-2619, 72-1-204

Recovery of estate property
- alleged decedent, by, 72-3-317
- appointment in error, when, 72-3-602

ESTATES AND PROBATE (Continued)
Recovery of estate property (Continued)

  conservator, right of, 72-5-427
  distribution, when improper, 72-3-905, 72-3-906, 72-3-1013
  insurance benefits, 33-15-201
  personal representative, right of, 72-3-606, 72-3-614, 72-3-905
  small estates, for distribution, 72-3-1102
  statutes of limitations, 27-2-304, 27-2-401, 72-3-1013
Relatives, See **Heirs; Intestate succession; Kinship**
Renunciation, See also **Waivers**
  devolution of estate, substitutes, 72-3-101
  personal representative
    compensation, 72-3-631
    right to nominate or to an appointment, 72-3-504
  succession, 72-2-224
    conservator, by, 72-5-421
Representation, 72-1-303
Representation, taking by, 72-2-113, 72-2-116, 72-2-613, 72-2-716, 72-2-717, 72-2-811
Residence, See also **Nonresident decedents**
  certified copies to indicate, 72-1-204
  elective share of surviving spouse, 72-2-221
  exempt property and allowances, 72-2-411, See **Exempt property and allowances**
  formal testacy proceedings to determine, 72-3-313
  notice at, 72-1-301
  personal representative, domiciliary — priority, 72-3-506, 72-3-526, 72-3-604
  venue determined by, 72-3-112 — 72-3-114, 72-5-407
  wills, conflict of laws, 72-2-526
Retirement benefits, See **Pension, profit-sharing, or retirement benefits**
Revocation of probate and nonprobate transfers by divorce or annulment, 72-2-814
Rules of Appellate Procedure, applicability, 72-1-207, 72-1-209
Rules of Civil Procedure, applicability, 72-1-207
Rules of Evidence, applicability, 72-1-108
Sales by
  conservator, 72-5-427
  court, for protected persons, 72-5-422
  personal representative, 72-3-613, 72-3-914, 72-16-436, 72-31-103
  public administrator, 72-15-103
Securities, 72-1-103
  accessions, 72-2-615
  conservatorship, See **Conservators and conservatorship**
  devise, 72-2-615
  distribution in kind, 72-3-902
  endorsement, 30-8-308
  escheat, sale by state, 72-14-205
  exempt transactions, 30-10-105
  inheritance tax, Title 72, chapter 16
  location, determination, 72-3-113
  nonprobate transfers on death, 72-6-111
  personal representative's authority, 30-8-308, 72-3-613
  registration in beneficiary form, Title 72, chapter 6, part 3, See **Nonprobate transfers**
  small estates, transfer, 72-3-1101
  transfers, See **SECURITIES AND SECURITIES REGULATION, Fiduciary transfers; TAXATION, ESTATES, Inheritance tax**, securities
Security interest in property of estate
  claim against estate, 72-3-104, 72-3-804
  community property, 72-9-110
  conservator's authority, 72-5-427

ESTATES AND PROBATE (Continued)
Security interest in property of estate (Continued)

- devise, specific — nonademption, 72-2-616
- devise subject to, nonexoneration, 72-2-617
- distribution
  - effect, 72-3-812
  - purchase from distributee, 72-3-907, 72-9-110
- exempt property, 72-2-413
- filing exceptions, 30-9-302
- payment, 72-3-812
- personal representative's authority, 72-3-812
- surrender of security, 72-3-811

Separation
- decree of, effect, 72-2-812
- renunciation of succession, 72-2-224

Service of process, Title 25, chapter 20, M.R.Civ.P., Rules 4A, 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- foreign personal representative, 72-4-203
- personal representative, Title 25, chapter 20, M.R.Civ.P., Rules 4B, 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D

Settlement, 72-1-103, 72-3-101, See **Administration**; **Closing of estate**; **Distribution and distributees**

Simultaneous death
- death or status of individual, evidence of, 72-1-108
- 120-hour rule, 72-2-114

Small business corporations, estate as shareholder, See **TAXATION, ESTATES**

Small business investment capital company, credits for investment in, 90-8-102, 90-8-202, 90-8-203

Small estates
- distribution and closing statement, 72-3-1103, 72-3-1104
- personal property, collection by affidavit, 72-3-1101, 72-3-1102
- recovery of property, 72-3-1102

Snowmobile certificate of ownership, transfer of interest, 23-2-612

Special administrator, 72-1-103, See also **Personal representative**
- alien heirs, report, 72-2-215
- appointment, 72-3-304, 72-3-701 — 72-3-704
  - notice, exemptions, 72-3-603
  - priority, applicability of laws, 72-3-508
  - probate, effect, 72-3-222
  - termination, 72-3-705
- bond, 72-3-513
- in-kind payment of inheritance or estate taxes, 72-16-445 — 72-16-450
- inventory requirements, exclusion, 72-3-607
- powers and duties generally, 72-3-703, 72-3-704

Spouse, See also **Heirs**
- allowances, See **Exempt property and allowances**
- community property, Title 72, chapter 9, part 1
- conservatorship, See **Conservators and conservatorship**
- disability, person under — distribution to spouse, 72-3-917
- dissolution or annulment of marriage or decree of separation, effect, 72-2-224, 72-2-812, 72-2-814
- distribution, authority of personal representative, 72-3-611, 72-3-917
- elective share of surviving spouse, See **Elective share of surviving spouse**
- entitlement, 72-2-331
- exempt property, See **Exempt property and allowances**
- formal testacy proceedings, notice, 72-3-305

ESTATES AND PROBATE (Continued)
Spouse (Continued)

- heir, defined as, 72-1-103, See **Intestate succession**
- inheritance tax
  - apportionment, 72-16-607
  - closely held businesses, 72-16-453
  - exemption, 72-16-313, 72-16-607
  - waiver, 72-16-315
- interested person, 72-1-103, See **Interested persons**
- intestate share, 72-2-112, See **Intestate succession**
- mausoleum or columbarium plots, right to, 35-21-421, 35-21-424, 35-21-425
- nonprobate transfers, multiple-party accounts, Title 72, chapter 6, part 2
- omitted, 72-2-813
- personal administrator, as, 40-2-108, 72-3-502
- premarital agreements, 40-2-605, 72-2-1005
- premarital will, 72-2-331
- remarriage, effect, 72-2-721, 72-2-814
- silicosis benefits, continuation to, 39-73-109
- unemployment insurance benefits, continuation to, 39-51-2205
- veteran's employment preference to, Title 39, chapter 29

Subdivision of land by, 72-3-613, 72-5-427
Succession, See also **Distribution and distributees; Intestate succession; Wills**

- acquisition of property by, 70-1-110, 70-19-406
- contracts pertaining to, 72-2-534
- distribution, evidence of, 72-3-905
- farm implements dealership ownership, Title 30, chapter 11, part 8
- future interests in property, passing by, 70-1-326
- mausoleum-columbarium plots, 35-21-421, 35-21-424, 35-21-425
- motor carrier certificates of public convenience and necessity, 69-12-325
- motor vehicle dealerships, succession to, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Dealers and wholesalers**, succession to ownership
- occupancy does not bar title by, 70-19-406
- paternity proceedings, effect, 40-6-108
- renunciation, 72-2-224, 72-3-101, 72-5-421
- "successors" defined, 72-1-103

Suicides

- estates to descend or vest as in cases of natural death, Const., II, 30
- notes from deceased, to personal representative, 7-4-2917

Summary administration and distribution, See **Small estates**
Supervised administration, 72-1-103, 72-3-401

- ancillary administration, applicability of laws, 72-4-401
- claims against estate, order for payment, 72-3-808
- closing orders, 72-3-406
  - domiciliary personal representative, distribution to, 72-3-822
  - small estate, summary closing prohibited, 72-3-1104
  - statement of personal representative, prohibited by, 72-3-1004
- effect, 72-3-403, 72-3-611
- formal proceedings, petition to indicate if supervised administration is sought, 72-3-301
- hearing, 72-3-403
- notice, 72-3-402, 72-3-403, 72-3-406
- orders, 72-3-402
  - closing, 72-3-406
  - distribution of estate, 72-3-401, 72-3-404, 72-3-405
  - interim, 72-3-405
- personal representative, 72-3-404, 72-3-605, 72-3-611, 72-3-618, 72-3-1104
- petition, 25-1-201, 72-3-105, 72-3-402, 72-3-403
- purchase of property by personal representative, 72-3-613

ESTATES AND PROBATE (Continued)
Supervised administration (Continued)

- scope of provisions when no supervised administration, 72-3-121
- termination, 72-3-401, 72-3-406

Sureties
- conservator, on bond, 72-5-411, 72-5-412
- escheated estates, for, 72-14-202
- personal representative, on bond, 72-3-515, 72-3-516, 72-3-1014
- public administrator, on bond, 72-15-103, 72-15-213

Surviving spouse, See **Spouse**
Survivorship, See also **Joint tenants; Simultaneous death**
- augmented estates, 72-2-222
- community property, 72-9-103
- 120-hour rule, 72-1-108, 72-2-114, 72-2-712
- stepchild, 72-2-716
- survive, 72-1-103
- trust, future interest under terms of, 72-2-717

Taxation, Title 72, chapter 16
Tenancy in common
- dissolution or annulment of marriage, effect, 72-2-814
- homicide by joint tenant, effect, 72-2-813
- inheritance tax, closely held businesses, 72-16-453
- in-kind payment of inheritance or estate taxes, 72-16-445 — 72-16-450
- nonprobate transfers, multiple-party accounts, 72-6-212

Tenants by the entireties
- nonprobate transfers, multiple-party accounts — effect, 72-6-216
- right of survivorship, 72-2-712
- securities, registration in beneficiary form, 72-6-302

Tenants in common, securities registered in beneficiary form, 72-6-302, 72-6-307
Testacy
- closing of estate, determination in, 72-3-1001, 72-3-1002
- formal proceedings, See **Formal testacy and appointment proceedings**

Testamentary trusts, See also **TRUSTS**, generally
- additions to trusts, testamentary — exclusion, 72-2-531
- "beneficiary" defined, 72-1-103
- compromise agreements, 72-3-132
- death taxes deductions, effect, 72-16-607
- "devisee" defined, 72-1-103
- "distributee" defined, 72-1-103
- farm implements dealership ownership, succession, Title 30, chapter 11, part 8
- inheritance tax deductions, effect, 72-16-607
- jurisdiction, continuing — transfer or removal, 72-35-301, 72-35-312
- successor, trustee as, 72-3-915
- venue, 72-35-106

Third parties
- alleged decedents, protection against, 72-3-317
- augmented estate, 72-2-222
- conservators, protection of transactions with, 72-5-427, 72-5-435
- dissolution or annulment of marriage, severance of interest — effect, 72-2-814
- distributees, protection of purchasers from or lenders to, 72-3-907
- foreign personal representatives, protection of transactions with, 72-4-307, 72-4-308, 72-4-311
- homicide of decedent, severance of interest — effect, 72-2-813
- 120-hour rule, notice of claimed lack of entitlement, 72-2-712
- personal representative, transactions with, See **Personal representative**
- small estates, collection of personal property by affidavit, 72-3-1102

Timeshare sales, Title 37, chapter 53

ESTATES AND PROBATE (Continued)

Title
    community property, 72-9-103, 72-9-108 — 72-9-110
    conservator, vesting in, 72-5-425 — 72-5-427
    determination, 50-15-112, 72-3-606, 72-3-911
    distributee, purchaser from or lender to, 72-3-907
    distribution, evidence of, 72-3-904, 72-3-905
    escheat upon failure of, 72-14-102
    occupancy does not bar, 70-19-406
Transfer of proceedings, 72-1-203, 72-3-112
Treason, conviction not to cause loss of property to relatives or heirs, Const., II, 30
Trusts, 72-1-103, See also **Governing instrument**; **TRUSTS**
    animals, domestic or pet — for, 72-2-1017
    augmented estate, 72-2-222
    beneficiary, 72-1-103
    claims against estate, payment, 72-3-814
    compromises affecting, 72-3-131, 72-3-132
    dissolution or annulment of marriage, revocation of nomination of trustee, 72-2-814
    distribution to, 72-3-915, 72-3-916
    elective share of surviving spouse, 72-2-222, 72-2-223, 72-2-415
    future interest under terms of, survivorship, 72-2-717
    homicide, effect, 72-2-813
    honorary, 72-2-1017
    in-kind payment of inheritance or estate taxes, 72-16-445 — 72-16-450
    location of trust property, determination, 72-3-113
    nonprobate transfers on death, 72-6-111
    notice binding one binds another, 72-1-303
    orders binding trustee bind beneficiary, 72-1-303
    perpetuities, statutory rule against, 72-2-1002, 72-2-1003, 72-2-1005
    pleadings, 72-1-303
    records, 72-1-204
    testamentary, See **Testamentary trusts**
    testamentary additions, 72-2-531
    venue, 72-1-203
    wills, construction and operation — applicability, 72-33-106
Unborn persons
    afterborn
        heir, 72-2-118
        omitted after-born child, 72-2-332
        perpetuities, statutory rule against, 72-2-1002
    compromises affecting, 72-3-131
    disclaimer of property interests, 72-2-811
    notice, 72-1-303
    orders, who bound, 72-1-303
Unclaimed estates, See **Escheated estates**
Underground storage tanks and installers, Title 75, chapter 11, part 2
Uniform Disposition of Community Property Rights at Death Act, Title 72, chapter 9, part 1
Uniform Durable Power of Attorney Act, 72-5-501, 72-5-502
Uniform Probate Code, Title 72, chapters 1 — 5; Title 72, chapter 16, part 6
    citation, 72-1-101
    clerk of the court, duties, 72-1-205
    definitions, 72-1-103
    effective date, 72-1-107
    implied repeal, construction against, 72-1-105
    oath or affirmation on filed documents, 72-1-206

ESTATES AND PROBATE (Continued)
Uniform Probate Code (Continued)

  precedence of provisions, 72-1-106
  rules of appellate procedure, applicability, 72-1-207, 72-1-209
  rules of civil procedure, applicability, 72-1-207
  supplementary principles of law, 72-1-104
  territorial extent, 72-1-201
  venue, 72-1-203
Uniform Statutory Rule Against Perpetuities, 72-2-1001 — 72-2-1007
Uniform Testamentary Additions to Trusts Act, 72-2-531
Uniform TOD Security Registration Act, Title 72, chapter 6, part 3
Unknown persons
  compromises affecting, 72-3-131, 72-3-132
  formal testacy proceedings, notice, 72-3-305
  judgments and decrees, effect, 25-3-505
  notice, 72-1-301, 72-1-303, 72-3-305
  orders, 72-1-303
  parties, as, 25-3-504, 25-3-505; Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P, Rule 4D
Venue, 72-1-203, 72-3-112
  conservatorship proceedings, 72-5-407
  domicile of decedent, determination, 72-3-114
  escheated estates, action for claim of, 72-14-301
  formal testacy proceedings, 72-3-310, 72-3-313
  informal probate and appointment, determination, 72-3-202, 72-3-212, 72-3-222
  location of property, determination, 72-3-113
  paternity proceedings, effect, 40-6-109
  recovery of estate, 25-2-123
  testamentary trust, 72-35-106
Veterans
  burial benefits, waiver of, 10-2-501
  employment preference to surviving spouse, Title 39, chapter 29
  taxes, property — exemption, 15-6-211
Waivers
  appointment, right to, 72-3-221
  claim against the estate, statute of limitation, 72-3-802
  disclaimer of property interests, 72-2-811
  distribution, right to object, 72-3-903
  inheritance taxes, 72-4-304, 72-16-315
  jury trial, 72-1-208
  nonresident decedents, inheritance taxes, 72-4-304
  notice, 72-1-302, 72-3-106, 72-5-403
  spouse's rights, 72-2-224
  veterans, burial benefits, 10-2-501
Wills, 1-1-205, 72-1-103, 72-2-901, See also **Governing instrument**
  acquisition of property by, 70-1-110, 70-19-406
  addition to, 72-2-523
  ademption by satisfaction, 72-2-616, 72-2-619, 72-3-911
  affidavits of witnesses when, 72-2-524, 72-3-213, 72-3-307, 72-3-309
  alteration, 72-2-523
  anatomical gift by, 72-17-102, 72-17-201
  antilapse, 72-2-613
  appeals permitted, Title 25, chapter 21, M.R.App.P., Rule 1
  causa mortis gifts, effect, 70-3-203, 70-3-204
  certificate of probate, 3-1-206
  class gift, 72-2-613
  codicils, 1-1-205, 72-1-103, 72-2-717, 72-2-1017

ESTATES AND PROBATE (Continued)
Wills (Continued)

- community property, applicability, 72-9-107, 72-9-116
- confidentiality, 72-2-535, 72-2-909
- conflict of interest, authorization of transactions involving, 72-3-615
- conflict of laws, 72-2-526
- conservator, examination by, 72-2-535, 72-5-431
- conservatorship, effect, See **Conservators and conservatorship**, will entries
- construction
  - after-acquired property, 72-2-612
  - controversies, compromise, 72-3-131
  - declaratory judgments, 27-8-204
  - extrinsic evidence, 28-2-905, 70-20-202
  - international wills, 72-2-910
  - jurisdiction of court, 72-1-202
  - property, all passes, 72-2-612
  - scope of rules, 72-2-611
  - trusts, applicability, 72-33-106
- contest
  - penalty clause unenforceable, 72-2-537, See **Formal testacy and appointment proceedings**
  - proceedings, statute of limitation, 72-3-122
  - validity or probate, 72-12-206
- contract for will, 72-2-534
  - perpetuities, statutory rule against, 72-2-1005
- conveyance of property by, 70-1-110, 70-19-406, 70-21-301
- corepresentatives, authority provided by, 72-3-624
- cultural and aesthetic projects, matches for challenge grants, 22-2-309
- custodian, delivery by, 72-2-535, 72-2-536, 72-5-429
- declaratory judgment, availability, 27-8-202
- deposit in court, 72-2-535
- destruction, 72-2-527, 72-3-301
- devisees, See **Devise and devisees**
- devolution of estate, 72-3-101
- distribution to be in accordance with, 72-3-610, See **Distribution and distributees**
- elective share of surviving spouse, petition filed when, 72-2-225
- events of independent significance, reference to, 72-2-532
- execution, 72-2-522, 72-2-523
  - conflict of laws, 72-2-526
  - events of independent significance, 72-2-532
  - formal testacy proceedings, proof, 72-3-307, 72-3-309
  - health care information, disclosure for, 50-16-535
  - informal probate, rules, 72-3-213
  - international wills, 72-2-901, 72-2-904, 72-2-905, 72-2-909
  - revocation by execution of new will, 72-2-527
  - self-proved will, 72-2-524, 72-3-309
- extrinsic evidence, 28-2-905, 70-20-202
- failure of testamentary provision, 72-2-614
- failure to make will, 72-2-111, See also **Intestate succession**
- fees, 25-1-201, 72-12-206
- foreign trust company, appointment as executor, 32-1-1002
- foreign wills, 72-3-213, 72-3-301, 72-3-316, 72-5-212, 72-5-303
- formal probate, See **Formal testacy and appointment proceedings**
- fraud, See **Fraud; CONTRACTS, Consent**
- fraudulent conveyance, exclusion, 70-20-401
- future interests in property, passing by, 70-1-326
- generation-skipping transfers, tax on, 72-16-1001 — 72-16-1007

ESTATES AND PROBATE (Continued)
Wills (Continued)

guardian, testamentary appointment, See **GUARDIANS AND GUARDIANSHIP, Incapacitated persons; Minors**
handwriting analysis, 72-12-401 — 72-12-407
handwritten wills, 72-2-522, 72-2-903
holographic wills, 72-2-522, 72-2-533
homicide, effect, 72-2-813
index, 7-4-2619
informal probate, See **Informal probate and appointment proceedings**
institutional funds, gift instrument creating, 72-30-102
intent of testator controls
    abatement, 72-3-901
    lack of testamentary intent, 72-3-310
international wills
    authorized person, 72-2-903, 72-2-904, 72-2-908, 72-2-905
    certificate, 72-2-904 — 72-2-906
    confidentiality of information, 72-2-909
    definitions, 72-2-901
    execution, 72-2-901, 72-2-904, 72-2-905, 72-2-909
    information registration, 72-2-909
    invalidity, 72-2-902, 72-2-904
    requirements, 72-2-903, 72-2-904
    revocation, 72-2-907
    source and construction of provisions, 72-2-910
    validity, 72-2-902, 72-2-903, 72-2-906
intestate succession, exclusion or limitation, 72-2-111
invalid
    anatomical gift, effect on, 72-17-201
    international wills, 72-2-902, 72-2-904
joint tenancy, creation by, 70-1-307
judgment, effect, 26-3-201
late discovery of wills, 72-3-311, 72-3-317
living wills, Title 50, chapter 9
lost, formal testacy or appointment petition — contents, 72-3-301
marriage subsequent to execution, entitlement of spouse, 72-2-331
mausoleum-columbarium plot, provision for, 35-21-421, 35-21-424
minors, transfers to
    authorization, 72-26-605, 72-26-606
    nomination of custodian, 72-26-601
mistake of fact or law, See **Defect; CONTRACTS, Consent**
nonademption of specific devises, 72-2-616
nonprobate transfers
    designation of persons for payment, 72-6-111
    multiple-party accounts, right of survivorship — alteration prohibited, 72-6-213, 72-6-216
nonprofit corporations, promises to — merger, effect, 35-2-614
omissions, child, 72-2-332, 72-3-611
organ donation by, 72-17-102, 72-17-201
parol evidence, 28-2-905, 70-20-202
pecuniary devises, provision of interest rate, 72-3-913
penalty clause for contest, 72-2-537
personal property, separate writing for disposition, 72-2-533
personal representative
    bond requirement, 72-3-513
    compensation, 72-3-631
    designation, 72-3-502

ESTATES AND PROBATE (Continued)
Wills (Continued)

  power of appointment, 70-1-704, 72-2-618
  power of attorney, statutory — authority, 72-31-231
  premarital agreement provisions, to carry out, 40-2-605
  premarital will, 72-2-331
  principal and income determination, expenses of estate settlement charged against, 72-34-406
  probate required, 72-3-102
  records, 7-4-2613, 7-4-2619, 72-1-204
  reference, incorporation of writings by, 72-2-530
  residuary clause, 72-2-223, 72-2-613, 72-2-717, 72-2-1017
  residuary devise, 72-2-614, 72-3-901
  revenue, department of — copy to, 72-16-401
  revocation, 72-1-103, 72-2-527, 72-2-528, 72-2-1005
    anatomical gift, manner, 72-17-201
    burden of proof, 72-3-310
    events of independent significance, 72-2-532
    international wills, 72-2-907
    revival, 72-2-523, 72-2-529
    writing, by, 72-2-523, 72-2-527
  securities, devise, 72-2-615
  security interest, devise subject to, 72-2-617
  self-proved will, 72-2-524, 72-3-309
  several instruments, 72-3-314
  special administrator, appointment, 72-3-702
  statute of frauds, applicability, 70-20-102
  subsequent wills, 72-2-527, 72-2-529
  supervised administration, may direct, 72-3-402
  survivorship requirements, 72-2-613
  taxes, apportionment directed in, 72-16-603
  transfers after death considered as by will, 72-16-306
  trusts, See also **Testamentary trusts**; **Trusts**
    construction and operation, applicability, 72-33-106
    named by, when, 72-33-207
    testamentary transfer of property, creation by, 72-33-201
  undue influence, 72-2-524
  validity, 72-2-525, 72-2-526, 72-2-902, 72-3-102, 72-3-131, 72-12-206
  who may make, 72-2-521
  witnesses, 72-2-522
    handwriting analysis, 72-12-401 — 72-12-407
    health care information relevant to, 50-16-535
    international wills, 72-2-903, 72-2-905
    self-proved will, 72-2-524
    who may be, 72-2-525
  writings
    intended as, 72-2-523
    personal property, separate writing for disposition, 72-2-533
    reference, incorporation by, 72-2-530
    revocation, by, 72-2-523, 72-2-527
Workers' compensation, See **WORKERS' COMPENSATION, Benefits**, death benefits

ESTATE TAX, Title 72, chapter 16, part 9
  See **TAXATION, ESTATES**

ESTOPPEL
Agency by, 28-10-103, See **AGENCY, Authority of agent**, ostensible authority
Casualty insurance policy renewals, effect on grounds for cancellation, 33-23-214

ESTOPPEL (Continued)

Corporate acts, 35-1-117, 35-2-132
Deed, by, 70-20-302
Defense, Title 25, chapter 20, M.R.Civ.P., Rule 8(c)
Documents of title, applicability of laws, 30-7-502
Estate distribution, effect, 72-3-906
Foreign-money claims, supplementary principles of law, 25-9-714
Fraudulent transfers, applicability of laws, 31-2-342
Insurers, title — policies issued in violation of provisions, 33-25-214
Landlord and tenant, applicability of laws, 70-24-105
Motor vehicle liability insurance, not constituted by renewal of policy, 33-23-214
Municipal finance consolidation bonds or notes, validity, 17-5-1625
Pollution abatement, applicability of laws, 75-5-102
Premarital agreements, defenses, 40-2-610
Presumption, 26-1-601
Royalty interest in land acquired by county by tax deed, defense in action to challenge title, 15-17-326
Subdivisions, applicability of laws, 76-4-110
Uniform Commercial Code, applicability of laws, 30-1-103
Water, appropriation by prohibited, 85-2-301
Workers' compensation benefit claims, waiver of time limitation, 39-71-601

ETHICS
Chiropractic, See **MALPRACTICE, CHIROPRACTIC**
Code of, Title 2, chapter 2, part 1; Const., XIII, 4, See **CODE OF ETHICS**
County assessors, 15-8-106
Fair campaign practices, Title 13, chapter 35, part 3, See **ELECTIONS, Campaign practices**
Lobbying, practice of, 5-7-101
Lobbyist disclosure, Title 5, chapter 7, See **LOBBYING AND LOBBYISTS**
Medical, See **MALPRACTICE, CHIROPRACTIC; MALPRACTICE, MEDICAL**
Midwives, direct-entry — standards, 37-27-105
Nepotism, Title 2, chapter 2, part 3, See **NEPOTISM**
Open meetings, Title 2, chapter 3, part 2, See **OPEN MEETINGS**
Real estate appraisers, ethical rules, 37-54-202, 37-54-203

EUTHANASIA, 50-9-205

EVIDENCE
Abandonment of child as evidence when, 40-6-235, 41-5-503
Abortion, consent, 50-20-106
Absence
    burden of proof, who has, 26-1-401
    death, 72-1-108, See **MISSING PERSONS; ESTATES AND PROBATE, Presumed decedents**
    liens, construction — contracting owner, agency presumed, 71-3-522
    motor vehicles, warranty on new vehicles — dealer not liable to manufacturer when, 61-4-505
    postponement of trial, 25-4-501 — 25-4-503
Abuse
    aging and developmentally disabled persons, gathering and submission and admissibility of reports, 52-3-815
    children, See **Child abuse and neglect**
    domestic abuse
        presumption of purpose, 45-5-206
        privileges suspended, 46-16-212

EVIDENCE (Continued)

Accountants
  continuing education requirements, 37-50-314
  privileges, accountant-client, 37-50-402
Account, when pleading, 25-4-302
Accounting review boards, proceedings and records, 37-50-403
Acknowledgments, Title 26, chapter 10, M.R.Ev., Rule 902
Acquiescence and belief, presumption, 26-1-602
Acupuncturists, licenses
  applications, for, 37-13-302
  denial, suspension, or revocation hearings, 37-13-312
  reinstatement, for, 37-13-313
Administrative proceedings, 2-4-104
  contested cases, 2-4-604, 2-4-611, 2-4-612, 2-4-614
  hearsay evidence, contested cases, 2-4-604
  judicial review, additional evidence, 2-4-703
Administrative rules
  failure to object to, inadmissibility, 2-4-412
  hearings, 2-4-402, 5-18-107
  legislative poll, evidentiary value, 2-4-404, 5-18-110
  school districts, financial impact, 20-2-115
  validity, requisites for, 2-4-305
Admissibility, See also **Excluded evidence**; **Relevance**; specific type of evidence
  abuse of aging and developmentally disabled persons, reports, 52-3-821
  accounting review boards, information from original source, 37-50-403
  administrative rules, failure to object to — inadmissibility, 2-4-412
  agency, evidence of liability insurance, Title 26, chapter 10, M.R.Ev., Rule 411
  aircraft, operation under the influence of alcohol or drugs, 67-1-211
  authentication, See **Authentication or identification**
  bail forfeiture used as restitution, inadmissibility, 46-9-512
  bank records, 32-1-492, 32-1-493, 32-6-301
  boating under the influence of alcohol or drugs, 23-2-535
  conditional, Title 26, chapter 10, M.R.Ev., Rules 104, 1008
  confessions, 46-13-301, 46-16-215; Title 26, chapter 10, M.R.Ev., Rule 104
  contracts, writings, 28-2-903
  copies, Title 26, chapter 10, M.R.Ev., Rule 1003
  credit of third person, 28-2-903
  damages, punitive — nonadmissibility of defendant's financial condition when, 27-1-221
  death penalty, at sentencing hearing, 46-18-302
  deferred prosecution agreements, stipulations, 46-16-130
  deviate sexual conduct, HIV-related or STD testing or treatment — inadmissibility, 45-5-505
  discovery, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 13A
  driving under the influence of alcohol or drugs, 61-8-404
  duplicate, Title 26, chapter 10, M.R.Ev., Rule 1003
  error, Title 26, chapter 10, M.R.Ev., Rule 103
  fraternal benefit societies, service of process — certified copies of appointment, 33-7-123
  funds transfers, misdescription
    beneficiary, proof of notice, 30-4A-207
    intermediary or beneficiary's bank, proof of notice, 30-4A-208
  hearsay, Title 26, chapter 10, M.R.Ev., Rule 802
  hospital care and treatment of patient, information concerning, 50-16-205
  inconsistent statements, Title 26, chapter 10, M.R.Ev., Rule 613
  issue of law, 25-7-102, 26-1-201
  leases, prevailing rent, 30-2A-507
  limited, Title 26, chapter 10, M.R.Ev., Rule 105

EVIDENCE (Continued)
Admissibility (Continued)

- mental disease or defect of criminal defendant, to prove lack of required mental state, 46-14-102
- motor vehicles
  - records, reproductions, 61-11-102
  - seatbelt provisions, evidence of compliance or noncompliance — nonadmissibility, 61-13-106
- negotiable instruments, evidence of dishonor, 30-3-510
- nolo contendere, Title 26, chapter 10, M.R.Ev., Rule 410
- occupational disease, discovery — report inadmissible, 50-70-107
- paternity blood tests, 40-5-234
- paternity proceedings, inadmissible evidence, 40-6-115
- polygraph examiner examinations, inadmissibility of results, 37-62-302
- preliminary questions, 26-1-201; Title 26, chapter 10, M.R.Ev., Rules 101, 104
- pretrial conference, subject of, Title 25, chapter 20, M.R.Civ.P., Rule 16(c)
- pretrial diversion agreements, stipulations, 46-16-130
- public accountants, board of — records, 37-50-201
- relevance required, Title 26, chapter 10, M.R.Ev., Rules 402, 403
- search and seizure, 46-5-103
- sexual offenses, videotaped testimony, 46-16-216
- smoke detectors, dwellings — failure to or noncompliance in complying with notice requirement upon sale of dwelling, inadmissibility, 70-20-113
- state tax appeal board decisions, interlocutory adjudication — petition raising, 15-2-304, 15-2-305
- theft, photographs of items allegedly taken or converted — procedure, 26-1-608
- transcript of testimony, Title 25, chapter 20, M.R.Civ.P., Rule 80
- voluntary payment of claim, inadmissibility, 26-1-704; Title 26, chapter 10, M.R.Ev., Rule 409
- workers' compensation mediator's report, nonadmissibility, 39-71-2410
- writings and recordings, copies, Title 26, chapter 10, M.R.Ev., Rule 1003

Adoption
- hard-to-place child, 52-2-506
- hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 803, 804
- interstate assistance, payment for services or benefit amounts not payable in residence state, 52-2-527

Aeronautics' investigations or hearings, reports as evidence when, 67-2-503
Affidavits as evidence, 26-1-1001
- complaint, filed with, 46-11-110
- person before whom taken, when made in
  - another state, 26-1-1004, 26-1-1006
  - foreign country, 26-1-1005
  - this state, 26-1-1003
- publisher or printer, affidavit of, 26-1-1011, 26-1-1012
- uses, 26-1-1002; Title 25, chapter 20, M.R.Civ.P., Rule 43(e)
- verification, 26-1-1006
- witnesses, declarations by, 26-1-101

Affirmation of witness, See **WITNESSES**
Agency
- admissibility of evidence of liability insurance, Title 26, chapter 10, M.R.Ev., Rule 411
- collecting bank, presumption, 30-4-201

Aging and aged persons
- abuse, neglect, or exploitation — gathering and submission and admissibility of reports, 52-3-815
- aged assistance recovery, presumption of value on transfers, 53-5-401

Agricultural chemical ground water protection
- ground water monitoring, results, 80-15-203

EVIDENCE (Continued)
Agricultural chemical ground water protection (Continued)

  oncogenic potential to humans, 80-15-102
Agricultural commodities
  dealers, insolvency, 80-4-612
  grain grades, affirmation or modification, 80-4-723
  warehouse operators
    deposits, of, 80-4-538
    insolvency, 80-4-538
    insurance policy, of, 80-4-502, 80-4-534
Agricultural development projects, debenture or note as evidence of debt, 90-9-103
Agricultural liens, computerized filing system — printout as prima facie evidence of filing, 30-9-403
Agricultural marketing associations, existence, 35-17-202
Agricultural seeds
  certificate of test results, 80-5-111
  delivery, of, 61-10-141, 80-5-202
Aircraft
  operation under the influence of alcohol or drugs, admissibility and inferences, 67-1-211
  previous registration as prima facie evidence, 67-3-202
Air quality orders, hearing on appeal from, 75-2-411
Alcoholic beverages
  agency franchise agreement, adjusted commission percentage inadequacy, 16-2-101
  analyst's report, prima facie evidence of contents, 16-6-207
  beer — brewers, importers, and wholesalers
    contractual or franchise relationship, 16-3-224
    licensing requirements, 16-3-214
    wholesaler classifications, 16-3-221
  beverage and packaging, illegal — kept as evidence when confiscated, 16-6-104, 16-6-105
  circumstantial evidence, 16-6-205
  inferences, 16-6-208, 16-6-209
  licenses and licensing
    requirements, 16-3-214, 16-4-101
    retail establishments, denial, 16-4-405, 16-4-413
  liquor excise tax accounting methods, presumption of purchases outside state and sold for consumption within state, 16-1-403
  offenses, parties to, 16-6-310, 16-6-311
  sales, legal age — presumption, 16-3-301
  violations, proof of, 16-6-206
Alcoholism, need for commitment, 53-24-302, 53-24-304
Alfalfa leaf-cutting bee unrestricted area, permission for establishment, 80-6-1113
Anatomical gift, evidence of refusal, 72-17-213
Ancestry, hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 803, 804
Ancient documents, See **Writings and recordings**
Answer, witness required to, 26-2-302, See **Examination of witness**
Appeals
  appendix to briefs, in, Title 25, chapter 21, M.R.App.P., Rule 25
  form, Title 25, chapter 21, M.R.App.P., Rule 27
  physical exhibits not documents, use, Title 25, chapter 21, M.R.App.P., Rule 29
  record on appeal, See **APPEALS, CIVIL; APPEALS, CRIMINAL**
  statement of evidence, Title 25, chapter 21, M.R.App.P., Rule 9
  supreme court to review questions of fact on evidence when, 3-2-204
  transmission, Title 25, chapter 21, M.R.App.P., Rule 10
  writings to refresh memory of witness, Title 26, chapter 10, M.R.Ev., Rule 612
Applicability of laws
  administrative hearings, 2-4-612
  affidavits, use, 26-1-1002

EVIDENCE (Continued)
Applicability of laws (Continued)

- authentication of evidence, Title 26, chapter 10, M.R.Ev., Rules 901, 903
- conclusive evidence, 26-1-102
- criminal proceedings, 46-16-201, 46-18-302
- death penalty, 46-18-302
- federal law, Title 26, chapter 10, M.R.Ev., Rule 302
- privileges, Title 26, chapter 10, M.R.Ev., Rule 501
- relevance, Title 26, chapter 10, M.R.Ev., Rule 402
- rules of evidence, Title 26, chapter 10, M.R.Ev., Rule 101
- writings, recordings, photographs — requirement for original, Title 26, chapter 10, M.R.Ev., Rule 1002

Arbitration
- hearings, 27-5-213, 27-5-215, 27-5-312
- new vehicles, warranty on — disputes, 61-4-517, 61-4-518, 61-4-520
- presumption of deliberations on all matters, 26-1-602
- rivers and streams, construction project disagreements — arbitration committee authority, 87-5-505

Architects
- continuing education requirements, of, 37-65-306
- register of applicants for certification, prima facie evidence of contents, 37-65-201

Arrest of witnesses, See **WITNESSES**
Arson-caused fires, presentence investigation and report and sentencing hearing, 46-18-261
Assumed business name, documents of secretary of state, 30-13-216
Attachment proceedings, 27-18-712
Attendance of witnesses, See **WITNESSES**
Attorneys at law
- alien attorneys, 37-61-208
- conviction of felony or misdemeanor, record of as conclusive evidence, 37-61-301
- nonresidents, evidence of qualifications, 37-61-208
- privilege, attorney-client, 26-1-803, 41-3-204, 41-3-404, 41-5-402, 53-9-123, 53-9-124, See also **Privileges**
- university of Montana law school, evidence of completion of course, 37-61-204

Audiologist-client privilege, 26-1-806
Authentication or identification
- applicability of laws, Title 26, chapter 10, M.R.Ev., Rules 901, 903
- illustrations, Title 26, chapter 10, M.R.Ev., Rule 901
- official records, Title 25, chapter 20, M.R.Civ.P., Rule 44; Title 26, chapter 10, M.R.Ev., Rule 902
- pretrial conference, subject of, Title 25, chapter 20, M.R.Civ.P., Rule 16(c)
- satisfaction, Title 26, chapter 10, M.R.Ev., Rule 901
- self-authentication, Title 26, chapter 10, M.R.Ev., Rule 902
- subscribing witness, testimony unnecessary, Title 26, chapter 10, M.R.Ev., Rule 903

Bad checks, issuing — prima facie evidence of knowledge, 45-6-316, 81-8-235
Bail
- based on presumption of guilt, 46-9-102; Const., II, 21
- forfeiture used as restitution, inadmissibility, 46-9-512

Banks and trust companies
- capital stock, sale — regularity of proceedings, 32-1-506
- collecting bank, presumption of agency status, 30-4-201
- directors, negligence by, 32-1-468
- electronic funds transfer records, 32-6-301
- liquidation, creditors' claims — service of notice of rejection, lower priority, 32-1-532
- records, See also **BANKS AND TRUST COMPANIES, Records**
  - admissibility, 32-1-492, 32-1-493, 32-6-301
  - electronic funds transfers, 32-6-301
  - reproduction, 32-1-492, 32-1-494

EVIDENCE (Continued)

Baptismal certificates, Title 26, chapter 10, M.R.Ev., Rule 803
Benevolent association licenses, certified copies as prima facie evidence, 33-6-401
Best evidence, 1-3-226
Bias or prejudice of witness, 26-1-302; Title 26, chapter 10, M.R.Ev., Rules 408, 411, See also **Credibility of witness**
Birth
  certificates, 50-15-109, 50-15-204
  hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 803, 804
  judicial determination
    hearing, 27-32-203
    judgment, 27-32-301
  legitimacy, See **Minors**
Blind pedestrians, failure to carry cane or use guide dog — not evidence of negligence, 49-4-216
Boats
  certificates of ownership, presumption of joint ownership with right of survivorship, 23-2-510
  security interest, perfection, 23-2-508
Boats, operation
  diver safety zone, in — burden of proof of existence of emergency or insufficient water, 23-2-525
  negligent, presumption of owner's consent and knowledge, 23-2-505
  noise limitations, exceeding — presumption of public nuisance and disorderly conduct, 23-2-526
  operators under 15 years of age, completion of water safety course, 23-2-523
  under the influence of alcohol or drugs, admissibility and inferences, 23-2-535
  without license decal or numbers, evidence of transfer of ownership, 23-2-511
Books, See also **Writings and recordings**
  decisions of tribunals, correctness presumed, 26-1-602
  law, correctness presumed, 26-1-603
  official, correctness presumed, 26-1-605
  printing by public authority, 26-1-602
Boundaries
  hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 803
  land and mining claims in national forests, proper marking, 81-4-219
Bounty claimants
  certificates or claims, for, 81-7-117
  killing animal, of, 81-7-111, 81-7-113
Building and loan associations
  agent, presumption of consent, 32-2-262
  articles of incorporation, certified copy evidence of facts therein, 32-2-202
  conversion, meeting on, 32-2-441
  corporate existence, 32-2-203
  directors, board of — negligence by, 32-2-304
  electronic funds transfer records, 32-6-301
  federal savings and loan association, conversion to — minutes evidence of meeting taking action, 32-2-441
Building code variance, 50-60-206
Burdens of proof
  administrative rules, validity or application, 2-4-406
  bailable offenses, presumption of guilt, 46-9-102
  bank deposits and collections
    closing of account or stop payment orders, loss resulting from payment contrary to, 30-4-403
    ordinary care, 30-4-202

EVIDENCE (Continued)
Burdens of proof (Continued)

- beer brewers and importers, wholesaler classifications, 16-3-221
- boats, operation in diver safety zones — existence of emergency or insufficient water, 23-2-525
- carriers confiscating fuel, proof of necessity for preservation of life or property, 69-11-108
- child abuse and neglect, establishment of probable cause for protective services order, 41-3-403
- child custody, convicted parent to prove modification of visitation or custody not in best interest of child, 40-4-217, 40-4-219
- coal, market value, 15-35-107
- confession, suppression, 46-13-301
- contracts, lack of consideration, 28-2-805
- corporations, derivative proceedings not in best interest, 35-1-545
- corpus delicti, 45-5-111
- crime victims compensation records, party seeking disclosure, 53-9-107
- defined, 30-1-201
- drainage districts, contest of reports of commissioners, 85-8-315
- drugs, dangerous — exemption from tax on possession and storage, 15-25-112
- escrow business regulation, exemption or exception, 32-7-104
- exclusionary rule, 46-13-301
- facility siting applicants
  - amendments to certificates, 75-20-219
  - certification proceedings, granting of application, 75-20-222
- farm implements dealership agreements — good cause for termination, cancellation, nonrenewal, or substantial alteration, 30-11-802
- funds transfers
  - burden of establishing, 30-4A-105
  - misdescription
    - beneficiary, notice, 30-4A-207
    - intermediary or beneficiary's bank, notice, 30-4A-208
  - "prove" defined, 30-4A-105
  - unauthorized payment orders, concerning, 30-4A-203
- gasoline and petroleum products, price discrimination, 82-15-203
- handicapped persons, employment preference, 39-30-207
- hazardous or deleterious substance, liability for release
  - apportionment, 75-10-724
  - establishment, 75-10-718
- health care information, access denied — provider to establish proper withholding, 50-16-553
- homicide, burden of the state, 45-5-111
- instructions to the jury, 26-1-403
- insurers
  - claim settlements, actions concerning violation of unfair practices — not required to prove frequency of violations, 33-18-242
  - liquidation proceedings, person asserting validity of transfer, 33-2-1352
- jury selection improper, 46-16-112
- leases
  - consumer lease, accelerate at will — establishing good faith, 30-2A-109
  - default, to establish, 30-2A-516
- megalandfill siting
  - amendment to certificate, concerning proposed changes, 75-10-925
  - certification proceeding, application should be granted and criteria are met, 75-10-928
- mental disease or defect of defendant, for release, 46-14-301, 46-14-302
- mines, metal — imputed value, 15-23-805

EVIDENCE (Continued)
Burdens of proof (Continued)

- mines, strip or underground operation
  - permit renewal
    - compliance, 82-4-227
    - opposition, 82-4-221
  - water supply damage, 82-4-253
- motor carriers, disproving status as, 69-12-106
- motor vehicle franchises
  - sale by change of ownership, burden on franchisor to prove good cause for withholding consent to, 61-4-205
  - termination or discontinuance, burden on franchisor to establish good cause for, 61-4-206
- naturopathic physicians, license applicant — proof of qualifications, 37-26-403
- negotiable instruments
  - burden of establishing, 30-1-201
  - collateral, impairment, 30-3-607
  - defenses, 30-3-307
  - enforcement of lost, destroyed, or stolen instrument, 30-3-309
  - holder in due course, rights, 30-3-307
  - incomplete instruments, unauthorized completion, 30-3-115
  - "prove" defined, 30-3-102, 30-4-104
  - recoupment, claim in, 30-3-307
  - signatures, validity, 30-3-307
- nonprofit corporations, derivative proceedings not in best interest, 35-2-1304
- order of trial based on, 25-7-301
- ordinary care, failure to exercise, 30-3-406
- payments, need to accelerate, 30-1-208
- performance, need to accelerate, 30-1-208
- persuasion, burden of, 26-1-402, 26-1-403
- physicians' license applications, on applicant to prove qualifications, 37-3-309
- presumptions, See **Presumptions**
- price discrimination, commodities — rebutting prima facie case, 30-14-904
- probate, formal intestacy proceedings — contested cases, 72-3-310
- property damage by tenant, 70-25-204
- public service commission orders challenged, party attacking or resisting, 69-3-402
- railroads
  - confiscating fuel, proof of necessity for preservation of life or property, 69-11-108
  - rates, rules, or orders — enforcement, on defendant to prove unjust and unreasonable, 69-14-134
- sales, breach after acceptance, 30-2-607
- securities
  - exempt transactions, 30-10-106
  - signature, effectiveness, 30-8-105
- special fuel use tax, assessment — correctness, 15-70-332
- state land lease cancellation, on lessee, 77-6-211
- subdividers and persons connected with, liability for material facts, 76-4-1248
- teachers, nontenure — termination hearings, 20-4-206
- trustee obtaining advantage from beneficiary, presumption affects, 72-34-105
- unfair competition, 30-14-208
- veterans, employment preference, 39-29-104
- water appropriations, abandonment, 85-2-405
- who has, 26-1-401
- workers' compensation records, for disclosure, 39-71-224
- writings, alteration, 26-1-106

Bus drivers and attendants, exceeding maximum hours of employment, 39-4-102

EVIDENCE (Continued)

Business
- duplicates or copies of entries in regular course of business, admissibility, Title 26, chapter 10, M.R.Ev., Rule 1003
- hearsay exception, records of business regularly conducted, Title 26, chapter 10, M.R.Ev., Rule 803
- inference, course of business, 26-1-502
- presumption, course of business, 26-1-602
- process or system, authentication, Title 26, chapter 10, M.R.Ev., Rule 901
- routine practice, Title 26, chapter 10, M.R.Ev., Rule 406
- usage of trade, 30-1-205

Carriers — prima facie evidence of nonpayment of fee, statements not filed, or lack of information, 69-2-205

Cemeteries
- dedication of property, presumption, 26-1-602
- inscriptions, hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 803

Cemetery districts, creation — hearing, 7-35-2103

Centennial acre, deeds to square inches of land — purchase, 2-89-208

Character evidence
- conduct
  - character inadmissible to prove conduct, Title 26, chapter 10, M.R.Ev., Rule 404
  - character proved by conduct, Title 26, chapter 10, M.R.Ev., Rules 405, 608
- defendant, 46-15-322, 46-15-323; Title 26, chapter 10, M.R.Ev., Rule 404
- hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
- issue, when, Title 26, chapter 10, M.R.Ev., Rule 404
- proof, Title 26, chapter 10, M.R.Ev., Rule 405
- victim, Title 26, chapter 10, M.R.Ev., Rule 404
- witness
  - admissibility generally, Title 26, chapter 10, M.R.Ev., Rule 404
  - degradation by answer not required, 26-2-302
  - opinion, Title 26, chapter 10, M.R.Ev., Rule 608
  - reputation, Title 26, chapter 10, M.R.Ev., Rule 608
  - truthfulness presumed, how controverted, 26-1-302; Title 26, chapter 10, M.R.Ev., Rule 608

Child abuse and neglect
- adjudicatory hearings, 41-3-404
- criminal charges, 45-5-622
- previous injuries, 41-3-201
- privileges, records and proceedings not subject to, 41-3-201, 41-3-204, 41-3-404
- records and reports, admissibility, 41-3-204
- temporary investigative authority and protective services petition, establishment of probable cause for protective services order, 41-3-403
- written, photographic, and radiological, 41-3-202, 41-3-204

Child custody
- hearings
  - convicted parent's burden to prove modification of visitation or custody not in best interest of child, 40-4-217, 40-4-219
  - investigatory reports as evidence for, 40-4-215
  - testimony, confidentiality when, 40-4-216
- joint custody, presumption, 40-4-224
- uniform child custody jurisdiction act, testimony, 40-7-119, 40-7-121

Child labor violations, employment records, 41-2-116

Children generally, See **Minors**

Child support proceedings
- administrative hearings, 40-5-273
- certified payment records, admissibility, 40-5-601

EVIDENCE (Continued)
Child support proceedings (Continued)

- contesting validity of enforcement or registration, 40-5-188 — 40-5-190
- defenses established, effect, 40-5-190
- financial responsibility of obligor, to establish, 40-5-226
- income withholding
  - hearings, 40-5-414
  - interstate, prima facie evidence of validity of support order, 40-5-432
  - payment records, 40-5-418
- jurisdiction, 40-5-146
- orders for, 40-5-162, 40-5-179
- paternity, establishment, 40-5-236
  - blood tests, 40-5-234, 40-5-237
  - hearings, 40-5-233, 40-5-237
  - rebuttable presumption, 40-5-232, 40-5-234
- social and rehabilitation services, department of — production by, 40-5-202
- special rules, 40-5-175
- standards and guidelines, unjust application, 40-4-204, 40-6-116

Chiropractic Legal Panel
- decision on, 27-12-602
- documentary, 27-12-308, 27-12-502
- hearings, 27-12-502, 27-12-503
- privilege, effect of waiver for review panel, 27-12-302, 27-12-306
- proceedings and decision, inadmissible, 27-12-703

Chiropractors
- charges or complaints, 37-12-322
- contingency basis, testifying on, 37-12-321
- conviction of offenses, copy of judgment as conclusive evidence, 37-12-321
- licenses
  - applications, for, 37-12-302
  - reinstatement, 37-12-322
  - renewal, for, 37-12-307
- privilege, physician-patient, 27-12-302, 27-12-306

Chiropractors, Board of — authority, 37-12-201

Cigarettes
- cost
  - retailer or wholesaler, to — determination, 16-10-204
  - surveys, 16-10-303
- presumptions
  - cost of doing business by retailer or wholesaler, 16-10-103
  - discounts allowed upon purchase by wholesaler, 16-10-103
  - insignia, lack of — violation of provisions, 16-11-113
  - taxes, as direct tax on consumer, 16-11-112, 16-11-202
- sales without license, proof of exception, 16-11-132
- tax inquiries or investigations, 16-11-103
- unlawful
  - licenses, stamps, or insignia — seized articles as evidence, 16-11-141
  - sales below cost, 16-10-301

Circumstantial evidence, 26-1-102, See also **Inferences**; **Presumptions**
- alcoholic beverage code violations, conviction based on, 16-6-205
- death, of, 72-1-108

Cities and towns
- alteration of existing form of government, presumption of validity of manner in which approved, 7-3-154
- annexation
  - governing body, lawfulness of actions — presumption, 7-2-4743
  - judicial review, 7-2-4742, 7-2-4752

EVIDENCE (Continued)
Cities and towns (Continued)
  annexation (Continued)
    land conclusively presumed to be annexed when, 7-2-4210, 7-2-4331, 7-2-4421, 7-2-4511, 7-2-4621, 7-2-4761
  commission government, investigatory powers of council, 7-3-4260
  commission-manager government
    city manager, investigations by, 7-3-4366
    civil service board investigations, 7-3-4414
    commission investigations, 7-3-4365
  emergency expenditures and liabilities, hearing on appeal of order from, 7-6-4253
  hearings, public, 7-1-4131
  indebtedness, bonds issued as change of evidence of, 7-7-4201
  powers, 7-1-4124
  proposed territory, of refusal to annex, 7-2-4103
  refunding revenue bonds, presumptions of validity, 7-7-4609
  revenue bonds, presumptions of validity, 7-7-4430
  service consolidation or transfer, validity of procedures, 7-11-310
City-county consolidated governments
  depository banks, records of deposit security, 7-3-1317
  investigations, for, 7-3-1252
  ordinances published in book form, as, 7-3-1226
City courts, See **CITY COURTS**
Clergy, privileges, 26-1-804, See also **Privileges**
Clerk of the district court, custody, Title 25, chapter 19, M.U.Dist.Crt.Rule 12
Close corporations, dissolution, 35-9-504
Collective bargaining
  firefighters, arbitration, 39-34-103
  public employees, See **Public officers or employees**
Commerce, Department of — authority, 81-23-401
Commercial fertilizers
  anhydrous ammonia facilities, testimony, 80-10-503
  composition, official analysis as prima facie evidence, 80-10-303
  official sample subject to penalty or legal action, evidence to contrary, 80-10-206
  registrants or distributors, fraudulent or deceptive practices, 80-10-211
Commitment
  alcoholism, for, 53-24-302, 53-24-304
  developmentally disabled persons, See **Developmentally disabled persons**
  mentally ill persons, See **Mentally ill persons**
Communications
  privacy, violation, 45-8-213
  privileged, See **Privileges**
Competence of witness, See **WITNESSES**
Compromise or offers to compromise, admissibility of evidence, Title 25, chapter 20, M.R.Civ.P., Rule 68; Title 26, chapter 10, M.R.Ev., Rule 408
  municipal courts, 25-30-101
  voluntary payments, 26-1-703, 26-1-705
Conclusive evidence, 26-1-102
  effect, 26-1-203
  judicial notice, Title 26, chapter 10, M.R.Ev., Rule 201
Conclusive presumptions, See **Presumptions**
Conduct, evidence on
  character
    character evidence inadmissible to prove conduct, Title 26, chapter 10, M.R.Ev., Rule 404
    conduct proves character, Title 26, chapter 10, M.R.Ev., Rules 405, 608
  compromise negotiations, inadmissible when from, Title 26, chapter 10, M.R.Ev., Rule 408
  habit, Title 26, chapter 10, M.R.Ev., Rule 406

EVIDENCE (Continued)
Conduct, evidence on (Continued)

- hearsay statement, as, Title 26, chapter 10, M.R.Ev., Rule 801
    - inconsistency with, Title 26, chapter 10, M.R.Ev., Rule 806
- remedial measures, subsequent, Title 26, chapter 10, M.R.Ev., Rule 407
- routine practice, Title 26, chapter 10, M.R.Ev., Rule 406
- witness, of, Title 26, chapter 10, M.R.Ev., Rule 608

Confessions
- admissibility, hearings out of hearing of jury, 46-13-301; Title 26, chapter 10, M.R.Ev., Rule 104
- homicide, to, 45-5-111
- juvenile offenders, inadmissibility, 41-5-514
- suppression, motion to suppress, 46-13-301
- treason, to, 46-16-202; Const., II, 30
- use of, 46-16-215

Confidential communications, See **Privileges**
Conflicting evidence, See **Inconsistent statements**
Confrontation, See **RIGHTS**
Coniferous trees, transportation — location of harvest, 76-13-601
Conservation districts
- certificate of organization as, 76-15-214
- land use regulations, enforcement proceedings, 76-15-710
- name change, 76-15-801
- variances, appeal proceedings, 76-15-726, 76-15-727

Conservatorship
- necessity, 53-21-190
- termination, transfer of assets, 72-5-437

Consideration
- negotiable instruments, presumption, 26-1-602
- written instrument, presumption, 26-1-602, 28-2-804

Consumer loan businesses — examinations, investigations, or hearings, 32-5-404
Contemporaneity, preference for, 1-3-226
Contracts
- consideration, 26-1-602, 28-2-804, 28-2-805
- damages, actual amount presumed when contract fixes, 28-2-721
- joint and several, presumption, 28-3-703
- mutuality, presumption, 28-2-303
- parol, 1-4-102, 28-2-904, 28-2-905, 28-3-402, 30-2-202, 30-2-316, 30-2-326, 30-2A-202, 70-20-202, 72-2-534
    - sales contracts, 30-2-202, 30-2-316, 30-2-326
- personal services, measure of compensation presumed, 28-2-722
- revision, presumption of equitable agreement, 28-2-1612
- uncertainty, presumption of party causing, 28-3-206
- writings, 28-2-903

Contradictory evidence, See **Inconsistent statements**
Conviction, criminal
- hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 803
- witness' answer respecting, Title 26, chapter 10, M.R.Ev., Rule 609

Copies, See **Writings and recordings**
Corporations
- articles of incorporation, filing — conclusive proof of satisfaction of conditions, 35-1-220
- derivative proceedings not in best interest, burden of proof, 35-1-545
- directors, action without meeting — written consents, 35-1-432
- dissenters, claim for payment of shares, 35-1-828
- existence, 35-1-220, 35-1-1312
- fictitious name, 35-11-202

EVIDENCE (Continued)
Corporations (Continued)

- filing
  - effective time and date, 35-1-219
  - validity or invalidity of document, presumption not created, 35-1-1309
- name, registration — contest, hearing, 35-1-310
- notice, effective time, 35-1-116
- records, 35-1-1107
- religious corporations, 35-3-203
- reviver, 15-31-524
- secretary of state, documents filed with, 35-1-1309, 35-1-1311
- shareholders
  - action without meeting, written consents, 35-1-519
  - preemptive rights, waiver evidenced by writing, 35-1-535
- suspension, forfeiture, or dissolution for tax delinquencies, 15-31-523
- taxes, See **Taxation**, corporation taxes
- vote, consent, proxy appointment, or waiver — acceptance requirements, 35-1-527

Corpses
- criminal activity, evidence of, 22-3-805
- suicide note or property with or upon person of deceased, 7-4-2917

Corpus delicti, 45-5-111
Corroborative evidence, 26-1-102
Cosmetics
- additives, unsafe, 50-31-109
- false advertising, 50-31-107

Counselor-client privilege, 37-23-301, See also **Privileges**
Counties
- alteration of existing form of government, presumption of validity of manner in which approved, 7-3-154
- emergency expenditures and liabilities, hearing on appeal of order from, 7-6-2343
- new, creation
  - commission, required by, 7-2-2242
  - records, transcribed — effect, 7-2-2407
- records, reproduction of originals as evidence, 7-4-2222
- service consolidation or transfer, validity of procedures, 7-11-310
- zoning board of adjustment appeal hearings, for, 76-2-227

County Commissioners, Board of — authority, 7-5-2127
County officers, consolidation of offices — hearings, 7-4-2309
County road improvement districts, assessment roll hearings, 7-14-2740
County sheriff, right to recover against sureties, 2-9-711
County superintendent of schools, controversy appeal hearings, 20-3-210, 20-4-206
County Tax Appeal Board hearings, 15-2-301, 15-15-103
County water and/or sewer districts
- creation, hearing on petition for, 7-13-2206
- dissolution, hearings, 7-13-2351
- exclusion of land, orders — records of certified copies as prima facie evidence, 7-13-2346

Course of nature
- inference from, 26-1-502
- presumptions from, 26-1-602

Court, powers
- admissibility
  - conditional, determination, Title 26, chapter 10, M.R.Ev., Rules 104, 1008
  - conduct, determination, Title 26, chapter 10, M.R.Ev., Rule 608
  - limited, instructions to jury, Title 26, chapter 10, M.R.Ev., Rule 105
  - preliminary determination, Title 26, chapter 10, M.R.Ev., Rules 101, 104
  - writings to refresh memory, Title 26, chapter 10, M.R.Ev., Rule 612

EVIDENCE (Continued)
Court, powers (Continued)

- arrest of witness
  - discharge, 26-2-405
  - issuance of warrant, 26-2-106, 26-2-107
- concealed witnesses, subpoena of, 26-2-103
- credibility of witness, judge in absence of jury, 26-1-302
- cross-examination, control, Title 26, chapter 10, M.R.Ev., Rule 611
- decisions, correctness of published reports presumed, 26-1-602
- examination of witnesses
  - by court, Title 26, chapter 10, M.R.Ev., Rule 614
  - control, Title 26, chapter 10, M.R.Ev., Rule 611
- exclusion of witnesses, Title 26, chapter 10, M.R.Ev., Rule 615
- expert testimony, disclosure of underlying data or facts, Title 26, chapter 10, M.R.Ev., Rule 705
- inferences by, 26-1-501
- informant, powers when identity undisclosed, Title 26, chapter 10, M.R.Ev., Rule 502
- issues of fact, decisions, 26-1-202
- issues of law, decisions, 26-1-201
- judicial notice, See **Judicial notice**
- jurisdiction, presumption of lawful exercise, 26-1-602
- jury, control, 26-1-203
- presumptions, application when inconsistent, Title 26, chapter 10, M.R.Ev., Rule 301
- prisoner, order to secure testimony, 26-2-201
- privilege, comment improper, Title 26, chapter 10, M.R.Ev., Rule 505
- publisher's affidavit — filing with, certification by, 26-1-1012
- questions of law, decisions, 26-1-201
- reexamination, control, Title 26, chapter 10, M.R.Ev., Rule 611
- rules of evidence, applicability, Title 26, chapter 10, M.R.Ev., Rule 101
- rulings by, Title 26, chapter 10, M.R.Ev., Rule 103
- weight of evidence judged by, 26-1-203

Court reporter, transcript of proceedings, 3-5-603, 3-5-604, 3-5-612, 3-10-502, 25-34-302, 46-10-204, 46-11-316, 46-11-317; Title 25, chapter 20, M.R.Civ.P., Rule 80

Credibility of witness
- accomplices, 26-1-303, 46-16-213
- attack, Title 26, chapter 10, M.R.Ev., Rules 607, 608, 806
- character evidence on, Title 26, chapter 10, M.R.Ev., Rule 608
- competence of witness, dependent on, Title 26, chapter 10, M.R.Ev., Rule 601
- conduct, evidence on, Title 26, chapter 10, M.R.Ev., Rule 608
- court may judge when, 26-1-302; Title 25, chapter 20, M.R.Civ.P., Rule 52(a)
- criminal conviction, effect, Title 26, chapter 10, M.R.Ev., Rule 609
- cross-examination, Title 26, chapter 10, M.R.Ev., Rules 608, 611
- false testimony, 26-1-302, 26-1-303
- hearsay declarant, Title 26, chapter 10, M.R.Ev., Rule 806
- impeachment, Title 26, chapter 10, M.R.Ev., Rules 607, 608, 609, 806
- jury exclusive judge, 26-1-302
  - instructions to the jury, 26-1-303
- oath, See **WITNESSES, Oaths**
- oil and gas conservation, board of — adjudication of decisions by, 82-11-144
- presumption, 26-1-302, 26-1-601
- relevance, Title 26, chapter 10, M.R.Ev., Rule 401
- religious belief, effect, Title 26, chapter 10, M.R.Ev., Rule 610
- self-incrimination, testimony on credibility not waiver of privilege, Title 26, chapter 10, M.R.Ev., Rule 608

Credit of third person, writing required, 28-2-903

Credit unions
- examinations, 32-3-203

EVIDENCE (Continued)
Credit unions (Continued)

- records, 32-3-204, 32-6-301

Crime laboratory reports, hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
Crime victims and witnesses, protection, See **CRIME VICTIMS AND WITNESSES**
Crime victims reparation benefits
- autopsy, 53-9-123
- disclosure of records, burden of proof on party seeking, 53-9-107
- judicial notice, authority of division of crime control, 53-9-104
- medical, 53-9-123
- preponderance of evidence for award, 53-9-127
- privileges, 53-9-123, 53-9-124
- production, 53-9-104, 53-9-122
- suppression, 53-9-124

Criminal
- accomplices, testimony of, 26-1-303, 46-11-405, 46-16-213
- additional, disclosure, 46-15-327
- appeals, See **APPEALS, CRIMINAL**
- applicability of laws, 46-16-201
- attempt, proof of completed offense not a bar to conviction, 45-4-103, 87-1-109
- bail
  - based on presumption of guilt, 46-9-102; Const., II, 21
  - forfeiture used as restitution, inadmissibility, 46-9-512
- burden of proof, 26-1-403, See **Burdens of proof**
- character evidence of, See also **Character evidence**
  - accused, Title 26, chapter 10, M.R.Ev., Rules 404, 405
  - victim, Title 26, chapter 10, M.R.Ev., Rules 404, 405
- codefendant, testimony of, 26-1-303, 46-11-405, 46-16-213
- complaint and affidavit, 46-11-110
- conduct of accused, Title 26, chapter 10, M.R.Ev., Rule 405
- confessions, See **Confessions**
- death
  - criminal activity, evidence of, 22-3-805
  - presumption of occurrence within state, 46-2-101
- death penalty, at sentencing hearing, 46-18-302, 46-18-310
- deferred prosecution agreements, stipulations, 46-16-130
- discovery, See **CRIMINAL PROCEDURE**
- dismissal for insufficiency, 46-16-403
- exclusion, 46-15-329
- exclusionary rule, 46-13-301, 46-13-302
- execution, immunity when obtained in proceedings in aid of, 25-14-106
- extradition, evidence of transportation for, 46-30-226
- grand jury, before, 46-11-314 — 46-11-316, 46-11-319
- guilty plea or withdrawal, admissibility, Title 26, chapter 10, M.R.Ev., Rule 410
- habeas corpus, hearing, 46-22-305
- hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 804
- indictment, sufficiency for, 46-11-331
- informant
  - discovery, 46-15-322, 46-15-324
  - effect when identity undisclosed, Title 26, chapter 10, M.R.Ev., Rule 502
- information, supporting evidence, 46-11-201
- initial appearance, admissibility of statements made at, 46-7-102
- innocence, presumption, 26-1-602, 46-16-204
- investigative subpoenas, See **SUBPOENAS**
- judicial notice, effect, Title 26, chapter 10, M.R.Ev., Rule 201
- jury, See **Jury**
- lesser included offense instruction to jury, 46-16-607

EVIDENCE (Continued)
Criminal (Continued)

- mental disease or defect of defendant, See **Mental disease or defect of criminal defendant**
- mental state
  - hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 803, 804
  - inference, 45-2-103
  - presumption, 26-1-602
- nolo contendere, admissibility, Title 26, chapter 10, M.R.Ev., Rule 410
- obstruction of investigation or prosecution, admissibility of evidence on compromise, Title 26, chapter 10, M.R.Ev., Rule 408
- order of presenting, 46-16-401, 46-16-402
- parole
  - evaluation for, 46-18-404
  - interstate supervision, hearings, 46-23-1105
- persistent felony offender status, notice, 46-13-108
- postconviction hearings, 46-21-104, 46-21-201
- preliminary examination, 46-10-202, 46-10-204
- presentence investigation, 46-18-112
- pretrial diversion agreements, stipulations, 46-16-130
- pretrial proceedings and records, closure and sealing when, 46-11-701
- probation, interstate supervision — hearings, 46-23-1105
- production compelled, 46-15-331; Const., II, 25
- reasonable doubt, instructions to jury, 26-1-403, 46-16-606, 46-16-607
- release or detention of defendant, determination, 46-9-109
- review of judgment, consideration, 46-18-904
- search and seizure, See **Search and seizure**
- sentencing, revocation hearing, 46-18-203
- sexual offenses
  - intercourse without consent, 45-5-511
    - medical evidence, payment for, 46-15-411
  - videotaped testimony, 46-16-216
- spousal privileges, See **Privileges**
- standard of proof, 26-1-403, 46-16-606
- state's witness, 46-11-405
- suppression of evidence, See **Suppression**
- testing, costs — payment, 46-4-306
- victims, protection, See **CRIME VICTIMS AND WITNESSES**
- videotaped testimony, 46-15-402, 46-15-403, 46-16-216
- witnesses
  - accomplices, testimony of, 26-1-303, 46-11-405, 46-16-213
  - detention to secure testimony, 46-11-601; Const., II, 23
  - offenses involving, See **WITNESSES, Offenses involving**
  - out-of-state witnesses, certificate on subpoena, 46-15-112, 46-15-113
  - protection, See **CRIME VICTIMS AND WITNESSES**
  - state's witness, 46-11-405
- writing to refresh memory, noncompliance with order to produce, Title 26, chapter 10, M.R.Ev., Rule 612

Criminal convictions
- hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 803
- witness' answer respecting, Title 26, chapter 10, M.R.Ev., Rule 609

Cross-examination of witness, 26-1-101, See also **Examination of witness**
- administrative hearings, 2-4-612
- arbitration hearings, 27-5-213
- banks and trust companies, protesting banks to new bank authorization, 32-1-204
- character evidence, Title 26, chapter 10, M.R.Ev., Rules 405, 608
- child custody proceedings, 40-4-215

EVIDENCE (Continued)
Cross-examination of witness (Continued)

- conduct, on, Title 26, chapter 10, M.R.Ev., Rule 608
- court, witnesses called by, Title 26, chapter 10, M.R.Ev., Rule 614
- depositions, on, 1-1-202, 46-15-202; Title 25, chapter 20, M.R.Civ.P., Rules 27(a), 30(c)
- developmentally disabled persons, admission to residential facility — hearings, 53-20-112, 53-20-116
- effect, Title 26, chapter 10, M.R.Ev., Rule 611
- expert witness, facts or data underlying testimony, 46-14-213, 46-14-221; Title 26, chapter 10, M.R.Ev., Rules 705, 803
- facility siting, certification proceedings, 75-20-218, 75-20-220
- guardianship proceedings, 72-5-315
- hearsay, effect, Title 26, chapter 10, M.R.Ev., Rules 801, 803, 804, 806
- highway patrol officers, disciplinary proceedings, 44-1-803
- insurance examination reports, hearings on, 33-1-409
- insurers' holding company system proceedings, 33-2-1105
- leading questions, 26-1-101; Title 26, chapter 10, M.R.Ev., Rule 611
- megalandfill siting certification hearing, 75-10-924, 75-10-926
- mentally ill persons, commitment proceedings, 53-21-115, 53-21-126
- oil and gas conservation, board of — may be disallowed in determinations, 82-11-115
- partial introduction, effect, Title 26, chapter 10, M.R.Ev., Rule 106
- preliminary examination, at, 46-10-202
- preliminary testimony of accused, not subject to, Title 26, chapter 10, M.R.Ev., Rule 104
- right to cross-examine, See **RIGHTS, Confrontation**
- scope, Title 26, chapter 10, M.R.Ev., Rule 611
- sentencing exceptions, hearings, 46-18-223
- utility hearings, authority of consumer counsel, 69-2-201
- workers' compensation subsequent injury benefits disputes, 39-71-910
- writings to refresh memory of witness, on, Title 26, chapter 10, M.R.Ev., Rule 612
- youth aftercare violation hearings, 52-5-129
- youth court, 41-5-513, 41-5-522

Cumulative evidence, 26-1-102

Dairies and dairy products
- adulteration of products, 81-22-404
- license denial, suspension, or revocation, 81-22-203
- manufacturing plants — approval for disposal of wastewater, sewage, and air pollutants, 81-22-403
- milk price formulas, 81-23-302
- rules, new or amended — evidence regarding, 81-22-103
- tests, official — results as, 81-22-101, 81-22-301
- use of inspections, tests, and samples as, 81-22-107

Damages
- collateral sources, existence and amount, 27-1-308
- presumption of actual amount when contract fixes, 28-2-721
- punitive, claim for and nonadmissibility of defendant's financial condition when, 27-1-221

Dams, high-hazard — necessity of inspection, 85-15-213

Date, presumption of correctness, 26-1-602

Death, See also **Estates and probate**
- certificates, 50-15-109, 72-1-108
- circumstantial evidence, 72-1-108
- coroner
  - authority, 7-4-2911, 46-4-111, 46-4-112
  - inquiry, 7-4-2911, 46-4-110
- dying declarations, Title 26, chapter 10, M.R.Ev., Rule 804
- hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 803, 804
- homicide, confession, 45-5-111
- inquests, 46-4-112, 46-4-203

EVIDENCE (Continued)
Death (Continued)

- occupational disease as cause, 39-72-605
- 120-hour rule, survivorship requirement, 72-2-114, 72-2-712
- presumption of, 26-1-602, 26-1-622, 26-1-623, 72-1-108
  - occurrence within state, 46-2-101
- simultaneous death, 72-1-108, 72-2-712
- voluntary payment of claim not admission of fault, 26-1-703
  - judgment, effect on, 26-1-706
- witnesses, of, See **WITNESSES**
- writings of decedent, prima facie evidence, 26-1-607

Debts
- acknowledgment or part payment, 27-2-409
- presumptions, 26-1-602
- state, owed to, 17-4-103

Declarations, See **Writings and recordings**
Deeds, See **DEEDS AND CONVEYANCES**
Defamation
- criminal, proof required, 45-8-212
- truth as evidence, Const., II, 7

Defect, Title 25, chapter 20, M.R.Civ.P., Rule 61; Title 26, chapter 10, M.R.Ev., Rule 103
Definitions
- affidavit, 26-1-1001
- business, Title 26, chapter 10, M.R.Ev., Rule 803
- circumstantial evidence, 26-1-102
- conclusive evidence, 26-1-102
- copies of entries in the regular course of business, Title 26, chapter 10, M.R.Ev., Rule 1001
- corroborative evidence, 26-1-102
- cross-examination, 26-1-101
- cumulative evidence, 26-1-102
- declarant, Title 26, chapter 10, M.R.Ev., Rule 801
- direct evidence, 26-1-102
- direct examination, 26-1-101
- disputable presumptions, 26-1-602
- duplicate, Title 26, chapter 10, M.R.Ev., Rule 1001
- evidence, 26-1-101
- habit, Title 26, chapter 10, M.R.Ev., Rule 406
- hearsay, Title 26, chapter 10, M.R.Ev., Rule 801
- inference, 26-1-501
- leading question, 26-1-101
- oral examination, 1-1-202
- original, Title 26, chapter 10, M.R.Ev., Rule 1001
- person, 26-1-702
- photographs, Title 26, chapter 10, M.R.Ev., Rule 1001
- presumption, Title 26, chapter 10, M.R.Ev., Rule 301
- prima facie evidence, 26-1-102
- proof, 26-1-101
- relevant evidence, Title 26, chapter 10, M.R.Ev., Rule 401
- routine practice, Title 26, chapter 10, M.R.Ev., Rule 406
- statement, Title 26, chapter 10, M.R.Ev., Rule 801
- statements which are not hearsay, Title 26, chapter 10, M.R.Ev., Rule 801
- subpoena, 26-2-101
- testify, 1-1-202
- unavailability as a witness, Title 26, chapter 10, M.R.Ev., Rule 804
- uniform commercial code definitions, 30-1-201
- witness, 26-1-101
- writings and recordings, 1-1-203, 26-1-101; Title 26, chapter 10, M.R.Ev., Rule 1001

EVIDENCE (Continued)

- **Delinquent accounts owed to state**, 17-4-103
- **Dental hygienists**, licensing requirements, 37-4-406
- **Dentistry, Board of** — hearings, investigations, or proceedings, 37-4-201, 37-4-324
- **Dentists**
  - affidavits, nonapplicability when, 37-4-326
  - diplomas, unlawful procurement to use as evidence of qualification to practice, 37-4-326
  - disciplinary actions, investigations, 37-4-323, 37-4-324
  - license requirements, 37-4-301, 37-4-307
  - practicing dentistry, prima facie evidence of, 37-4-102
  - privilege, dentist-patient, 26-1-805, 27-6-302, 27-6-306, 41-1-403, See also **Privileges**
- **Depositions**, See **DEPOSITIONS**
- **Detention center administrators**, in suits for damages, 7-32-2250
- **Detention of witness**, See **WITNESSES**
- **Developmentally disabled persons**
  - abuse, neglect, or exploitation — gathering and submission and admissibility of reports, 52-3-815, 52-3-821
  - admission to residential facility, hearings
    - professional person subject to cross-examination, 53-20-116
    - right to present evidence and cross-examine, 53-20-112, 53-20-116
  - labor by residents, presumption when task not a training task, 53-20-164
- **Direct evidence**, 26-1-102
- **Direct examination**, See **Examination of witness**
- **Discovery**, procedure, See **CIVIL PROCEDURE**; **CRIMINAL PROCEDURE**
- **Discriminatory practices**
  - housing, complaint allegations, 49-2-510
  - investigations, testimony in — retaliation prohibited, 39-31-401, 49-2-301, 49-3-209, 50-78-204
  - price, commodities
    - prima facie case, burden of rebutting, 30-14-904
    - production of evidence, 30-14-906
- **Disputable presumptions**, See **Presumptions**
- **Disqualification of witness**, See **WITNESSES, Competence**
- **Dissolution of marriage**
  - certificates, 50-15-109
  - hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 803, 804
  - summary dissolution proceedings, 40-4-130
- **District court reporter's transcript to be prima facie evidence**, 3-5-612
- **Documents**, See **Writings and recordings**
- **Domestic abuse**
  - presumption of purpose, 45-5-206
  - privileges suspended, 46-16-212
- **Drainage districts**
  - addition of lands, hearing on petition, 85-8-403
  - commissioners' acts and reports, presumptions and burdens, 85-8-315
  - creation
    - ownership of lands, 85-8-119
    - proof of service and publication of notice of hearing, 85-8-113
- **Drivers' licenses**
  - appeal from cancellation, revocation, or suspension — hearing, 61-5-211, 61-8-403
  - lost or destroyed, 61-5-114
  - minors' applications, death of person signing, 61-5-202
  - physician's reports, 37-2-311
  - probationary, issuance, 61-5-206
  - reissuance following revocation or suspension, 61-5-208
  - restricted, evidence of violation of restrictions imposed, 61-5-113

EVIDENCE (Continued)
Drivers' licenses (Continued)

  suspension, 61-5-206, 61-5-214
Driving under the influence of alcohol or drugs
  admissibility, 61-8-404
  blood tests, inferences from, 61-8-401
  commercial driver's license, suspension hearing, 61-8-805, 61-8-808
  criminally injurious conduct, 53-9-103
  driver's license, hearing on appeal from suspension or revocation, 61-8-403
Drug companies, prima facie evidence of medical practitioners' acquisition for investment or for prescribing company's drugs, 37-2-102
Drugs and controlled substances and devices
  additives, unsafe, 50-31-109
  antiseptics, 50-31-302
  criminal possession, presumption of sentence when offender 21 years of age or less, 45-9-102
  false advertising, 50-31-107
  germicides, 50-31-302
  imitation dangerous drugs, possession with intent to sell — sentencing presumption, 45-9-113
  paraphernalia, 45-10-102
  research subjects, identity privileged, 50-32-106
  tax on possession and storage of dangerous drugs, burden of proof of exemption, 15-25-112
Duplicates, See **Writings and recordings**
Dying declarations, Title 26, chapter 10, M.R.Ev., Rule 804
Effect, See **Weight and sufficiency of evidence**
Elections
  ballot issues, certification of petition signatures, 13-27-307
  campaign practices, actions, 13-37-125
  certificate of nomination, 13-36-104
  contest of, 13-36-202, 13-36-207, 13-36-208, 13-37-125
  counting votes, incorrectness, 13-16-303
  declaration for nomination, 13-10-201
  nomination, 13-36-104
  precinct register, 13-2-601
  primary candidacy, 13-10-201
  registration, 13-2-601
  residence of elector, 13-1-112
  right to vote, 13-2-601
Electricians, licensing qualification, 37-68-304 — 37-68-306
Electrologists, licensing qualifications, 37-32-302
Electronic funds transfer
  authorization of transaction, presumption, 32-6-303
  records, 32-6-301
Emotional condition of hearsay declarant, Title 26, chapter 10, M.R.Ev., Rule 803
Employment
  bus drivers and attendants, exceeding maximum hours of employment, 39-4-102
  collective bargaining
    firefighters, arbitration, 39-34-103
    public employees, See **Public officers or employees**
  firefighters, arbitration, 39-34-103
  master and servant agreements, 39-2-602, 39-2-603
  occupational disease, See **Occupational disease reports**
  occupational safety provisions, authority of department of labor and industry, 50-71-106
  preference to
    handicapped persons, 39-30-207
    veterans, 39-29-104

EVIDENCE (Continued)
Employment (Continued)

- public employees, See **Public officers or employees**
- unemployment insurance, See **Unemployment insurance**
- wage claims
  - hearings, 39-3-216, 39-3-217
  - production, 39-3-210
- workers' compensation, See **Workers' compensation**
- wrongful discharge from employment, fraud by employer, 39-2-905

Endangering the welfare of children, 45-5-622
Energy supply information privileged, 90-4-305
Engineers and land surveyors

- certificate of registration
  - as prima facie evidence, 37-67-314
  - false or forged evidence in obtaining, 37-67-332
- practice, qualifications to, 37-67-301, 37-67-306, 37-67-307, 37-67-309 — 37-67-311

Environmental Quality Council, authority, 75-1-312
Error, Title 25, chapter 20, M.R.Civ.P., Rule 61; Title 26, chapter 10, M.R.Ev., Rule 103
Escrow business regulation

- "escrow" defined, 32-7-102
- examinations, investigations, or hearings, 32-7-123
- exemption or exception, burden of proof, 32-7-104
- violations, 32-7-122

Estates and probate

- child, transfer in lieu of testamentary provision, 72-2-332
- conservatorship, letters of — as transfer of assets, 72-5-426
- death, 72-3-317, See also **Death**
- death or status of individual, 72-1-108
- distributees
  - purchases from, for value, 72-3-907
  - succession to interest, 72-3-905
  - title to property, 72-3-904
- distribution, negligence not inferred, 72-3-916
- elective share of surviving spouse, election by agent presumed to be on behalf of incapacitated spouse, 72-2-223
- escheat, no presumption of heirs or next of kin, 72-14-102
- homicide of decedent, determination of criminal accountability of killer, 72-2-813
- informal probate, conclusive as to all persons, 72-3-215
- inheritance tax, See **Taxation**
- intestacy, 72-3-310, 72-3-1002
- nonprobate transfers, multiple-party accounts — ownership during lifetime, net contribution, 72-6-211
- 120-hour rule, survivorship requirement, 72-2-114, 72-2-712
- personal property, separate writing for disposition — intention, 72-2-533
- possession of estate by personal representative, necessity, 72-3-606
- power of appointment, specific reference — presumption of donor's intention, 72-2-714
- power of attorney, affidavit of lack of knowledge of disability conclusive, 72-5-502
- preexisting estates, 72-1-107
- spouse, premarital will or transfer in lieu of testamentary provision, 72-2-331
- title to property, 72-3-904
- trust for domestic or pet animals, governing instrument and transferor's intent, 72-2-1017
- wills
  - contest, burdens of proof, 72-3-310
  - execution, 72-3-307, 72-3-309, 72-3-1002
  - international wills
    - death of testator, 72-2-909
    - validity, certificate conclusive of, 72-2-906

EVIDENCE (Continued)
Estates and probate (Continued)
  wills (Continued)
    parol evidence, 28-2-905, 70-20-202, 72-2-522, 72-2-534
    revocation, presumption against not created by execution of joint or mutual wills, 72-2-534
    self-proved, presumptions, 72-3-309
    subsequent, presumption of intent to replace or supplement previous will, 72-2-527
    unprobated, admissibility, 72-3-102
    witnesses, See **ESTATES AND PROBATE, Wills**
    writings intended as, 72-2-523
  worthier title doctrine abolished, 72-2-720
  writings of decedent, 26-1-607
Estoppel, presumption, 26-1-601
Evaluation, See **Court, powers; Jury; Weight and sufficiency of evidence**
Examination of witness, See also **Cross-examination of witness; Testimony**
  affidavit to obtain, 26-1-1002
  answer required, 26-2-302
  court
    by, Title 26, chapter 10, M.R.Ev., Rule 614
    control of, Title 26, chapter 10, M.R.Ev., Rule 611
  criminal proceedings
    complaint, upon, 46-6-201
    preliminary examination, at, 46-10-202
  direct examination, 26-1-101
  expert witnesses, See **Expert testimony**
  harassment, See **WITNESSES, Protection**
  hostile witnesses, Title 26, chapter 10, M.R.Ev., Rule 611
  insurers' holding company system proceedings, 33-2-1105
  leading questions, 26-1-101
    hostile witnesses, to, Title 26, chapter 10, M.R.Ev., Rule 611
    prohibited when, Title 26, chapter 10, M.R.Ev., Rule 611
  limitation, 26-2-401
  memory, aids to, Title 26, chapter 10, M.R.Ev., Rules 612, 803
  oral examination, 1-1-202
  order, Title 26, chapter 10, M.R.Ev., Rule 611
  prior statements, Title 26, chapter 10, M.R.Ev., Rule 613
  privacy when, 3-1-313; Title 26, chapter 10, M.R.Ev., Rule 615
  privilege, See **Privileges**
  recall, Title 26, chapter 10, M.R.Ev., Rule 611
  reexamination, Title 26, chapter 10, M.R.Ev., Rule 611
  right to examine, Title 26, chapter 10, M.R.Ev., Rule 611
  scope, 26-2-401
  testify, 1-1-202
  writings to refresh memory, Title 26, chapter 10, M.R.Ev., Rules 612, 803
Excited utterance, 26-1-103; Title 26, chapter 10, M.R.Ev., Rule 803
Excluded evidence, See also **Admissibility**
  error, Title 25, chapter 20, M.R.Civ.P., Rule 61; Title 26, chapter 10, M.R.Ev., Rule 103
  hearsay, See **Hearsay**
  offer of proof, Title 26, chapter 10, M.R.Ev., Rule 103
  relevant evidence, grounds, Title 26, chapter 10, M.R.Ev., Rule 403
  ruling, Title 26, chapter 10, M.R.Ev., Rule 103
Exclusionary rule, 46-13-301, 46-13-302
Execution book, 25-13-405
Execution, immunity when obtained in proceedings in aid of, 25-14-106
Executive branch agencies, termination or reestablishment — legislative review hearings, 2-8-113
Executive clemency hearings, records, 46-23-306

EVIDENCE (Continued)

Existence of thing, presumption, 26-1-602
Ex parte matters, Title 26, chapter 10, M.R.Ev., Rule 101
Expert testimony
- administrative hearings, 2-4-612
- aeronautics proceedings, officers or employees of department of transportation not required to testify as, 67-2-503
- authentication of evidence by comparison, Title 26, chapter 10, M.R.Ev., Rule 901
- basis of testimony
  - admissibility, Title 26, chapter 10, M.R.Ev., Rule 703
  - disclosure, Title 26, chapter 10, M.R.Ev., Rule 705
- child custody, dissolution of marriage proceedings, 40-4-214
- comparison, authentication by, Title 26, chapter 10, M.R.Ev., Rule 901
- consultant services contracts, state — nonapplicability of provisions, 18-8-103
- discovery, 46-15-322, 46-15-323; Title 25, chapter 20, M.R.Civ.P., Rule 26(b)
- eminent domain proceedings, on appeal, 70-30-306
- fees, 26-2-505, 39-71-605, 46-11-319, 46-15-116, 69-4-1104, 70-30-306, 82-4-252; Title 25, chapter 20, M.R.Civ.P., Rule 26(b)
- grand jury, before, 46-11-315, 46-11-319
- guardianship, necessity, 72-5-315
- hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 803
- identification for trial, Title 25, chapter 20, M.R.Civ.P., Rule 26(e)
- interpreters, applicability of laws, Title 26, chapter 10, M.R.Ev., Rule 604
- mental disease or defect of defendant, on, 46-14-213, 46-14-221
- mining
  - metal mines exploration licenses or operating permits, review of board decisions granting or denying — costs, 82-4-350
  - strip or underground — operation violations, enforcement actions, 82-4-252
- occupational disease, pertaining to, 39-72-607, 39-72-609, 39-72-610
- opinion testimony, Title 26, chapter 10, M.R.Ev., Rules 602, 703
- permitted, Title 26, chapter 10, M.R.Ev., Rule 702
- power of attorney, statutory — authority, 72-31-223
- qualifications, Title 26, chapter 10, M.R.Ev., Rule 702
- ultimate issue, opinion on, Title 26, chapter 10, M.R.Ev., Rule 704
- utility meters, bypassing or tampering — actions for recovery of value of services, 69-4-1104
- workers' compensation, examination by physician and report, 39-71-605

Explosives, possession as presumption of intent, 45-8-337
Extradition, of transportation for, 46-30-226
Extrinsic evidence, See **Parol**
Eye banks or storage facilities, membership and certification granted by national association, 72-17-312
Facility siting
- amendments to certificates, 75-20-219
- certification proceedings, 75-20-218, 75-20-220, 75-20-222

False swearing, 45-7-202
Family law mediation
- mediator privilege, 26-1-811
- reports, compelled disclosure inapplicable, 40-4-303

Family records and history, hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
Fictitious names, presumption created by register, 35-11-202
Findings of the court
- proposed findings and conclusions, failure to file — effect, Title 25, chapter 19, M.U.Dist.Crt.Rule 8
- sufficiency of evidence, Title 25, chapter 20, M.R.Civ.P., Rules 52(b), 52(d)

EVIDENCE (Continued)

Firefighters
  arbitration, 39-34-103
  exempt certificates, prima facie evidence of facts therein, 7-33-2315
Fire prevention violations, 50-61-117
Fires
  arson-caused, presentence investigation and report and sentencing hearing, 46-18-261
  insurance policy, recovery on — testimony of agency personnel, 50-63-404
Fire service areas, rural — establishment, hearing, 7-33-2401
Firewardens, obtaining for forest law violations, 77-5-105
Fish and wildlife
  fishing
    implements, unlawful — possession as evidence, 87-3-112
    nets or seines, evidence of possession, 87-3-205
  possession for commercial purposes, 87-4-703, 87-4-704
  unlawfully killed animals or fish, possession as, 87-3-112
Floodplains or floodways
  designations, presumption of hydrological certainty, 76-5-202
  obstructions, presumption of cause of flooding, 76-5-109
Flying under the influence of alcohol or drugs, admissibility and inferences, 67-1-211
Food
  additives, unsafe, 50-31-109
  adulteration, 50-31-202
  establishments, contaminated food, 50-50-304
  false advertising, 50-31-107
  misbranded, 50-31-203
Foreign documents, authentication, Title 26, chapter 10, M.R.Ev., Rule 902
Foreign laws, 26-1-603; Title 25, chapter 20, M.R.Civ.P., Rule 44.1; Title 26, chapter 10, M.R.Ev., Rule 202
Forest law violations, pertaining to, 77-5-105
Former offenders, licensure — evidence of rehabilitation, 37-1-205
Former testimony, See also **Inconsistent statements**
  examination concerning, Title 26, chapter 10, M.R.Ev., Rule 613
  hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 804
Fraternal benefit societies
  benefit contracts
    certificate as evidence, 33-7-108
    documents as evidence of terms and conditions, 33-7-523
  certificate of authority, prima facie evidence of existence, 33-7-208, 33-7-217
  compliance with provisions, 33-7-208
  consolidation or merger, text of contract furnished to members and conveyance of property, 33-7-215
  foreign or alien societies, for withdrawal of suspension or refusal of authority to do business, 33-7-121
  insurability, evidence of, 33-7-208
  laws, printed copies as prima facie evidence of adoption, 33-7-209
  officer's affidavit as prima facie evidence of mailing notices or documents, 33-7-215
  service of process, certified copies of appointment, 33-7-123
  standard of conduct required to justify indemnification or reimbursement, termination of action not conclusive presumption, 33-7-307
Fraudulent transfers, obligation incurred when, 31-2-335
Full faith and credit, See **Judicial records; JUDGMENTS AND DECREES, Foreign; JURISDICTION**, generally
Funds transfers
  breach of security procedure, information facilitating, 30-4A-203
  burden of establishing, 30-4A-105

EVIDENCE (Continued)
Funds transfers (Continued)

misdescription
  beneficiary, proof of notice — admissible evidence and burden of proof, 30-4A-207
  intermediary or beneficiary's bank, proof of notice — admissible evidence and burden of proof, 30-4A-208
"prove" defined, 30-4A-105
unauthorized payment orders, proof concerning, 30-4A-203
Gambling
activities, of indebtedness, 23-5-157
casino night permit applications, nonprofit status of organization, 23-5-705
violations
  administrative proceedings, evidence in, 23-5-138
  cease and desist orders, for issuance, 23-5-136
  judicial review of final order concerning, 23-5-137
Gasoline and petroleum product price discrimination violations, production, 82-15-204
Gifts
causa mortis, presumption, 70-3-202
unsolicited goods, presumption as, 70-3-104
Grand jury, before, 46-11-314 — 46-11-316, 46-11-319
Grants of property, See **DEEDS AND CONVEYANCES**
Grazing districts
appeal hearings, 76-16-109
creation of district, 76-16-202
official acts, presumption of good faith and conformance to provisions, 76-16-319
state land rental changes, 76-16-307
Guardianship, necessity, 53-21-190, 72-5-306, 72-5-315
Guilty plea or withdrawal, admissibility, Title 26, chapter 10, M.R.Ev., Rule 410
Habeas corpus, hearing, 46-22-305
Habit, Title 26, chapter 10, M.R.Ev., Rule 406
Habitual traffic offenders, abstracts of conviction records, 61-11-207
Handicapped persons
employment preference, 39-30-207
telecommunications services for, evidence of handicap, 53-19-307
Handwriting, See **Writings and recordings**
Harassment of witness, See **WITNESSES, Protection**
Hard-to-place children, adoption, 52-2-506
Hazardous chemicals
employee rights, 50-78-204
employer violations, 50-78-402
Hazardous or deleterious substances, remedial action upon release
information gathering, 75-10-707
liability
  liable person's burden of how to apportion, 75-10-724
  plaintiff's burden of establishing, 75-10-718
persons liable for release, establishment of nonliability, 75-10-715
Hazardous wastes
hearings and investigations, testimony, 75-10-413
imminent hazard, of, 75-10-415
underground storage tank leaks, 75-10-409
Health and Environmental Sciences, Board of — authority, 50-1-301, 50-6-314
Health and Environmental Sciences, Department of — authority, 50-6-314
Health care information, See also **Privileges**
abortion, consent, 50-20-106
access denied, burden of proof on provider to establish proper withholding, 50-16-553
health maintenance organizations, 33-31-113
hospital care and treatment of patient, admissibility, 50-16-205

EVIDENCE (Continued)
Health care information (Continued)

- hospital medical staff committee records, 50-16-203 — 50-16-205
- infant mortality and morbidity information, 50-16-102
- introduction, order prohibiting, Title 25, chapter 20, M.R.Civ.P., Rule 35(b)
- occupational disease reports, inadmissible, 50-70-107
- patient authorization for disclosure not waiver of rights under rules, 50-16-526
- production by compulsory process or discovery not waiver of privilege, 50-16-536
- sexually transmitted disease information privileged, 50-18-109
- testimony prohibited when, 50-16-605
- violations, of, 50-16-553

Health maintenance organizations
- health care service charges, amendment to schedule of, 33-31-301
- insolvency, requirements for protection against, 33-31-201
- medical information, production, 33-31-113
- privileged communications, 33-31-113, See **Privileges**

Health service corporations, examination reports, 33-30-105

Hearing aid dispensers
- continuing education, completion, 37-16-407
- conviction of felony, conclusive evidence, 37-16-411

Hearsay, See also **Excluded evidence**
- administrative proceedings, contested cases, 2-4-604
- admissibility, Title 26, chapter 10, M.R.Ev., Rule 802
- credibility of declarant, attack or support, Title 26, chapter 10, M.R.Ev., Rule 806
- declarant
  - availability immaterial, Title 26, chapter 10, M.R.Ev., Rule 803
  - credibility, relevant evidence, Title 26, chapter 10, M.R.Ev., Rule 806
  - unavailable, Title 26, chapter 10, M.R.Ev., Rule 804
- definitions, Title 26, chapter 10, M.R.Ev., Rule 801
- exclusions, 26-1-103; Title 26, chapter 10, M.R.Ev., Rule 801
- gambling violations, administrative proceedings, 23-5-138
- hearsay within hearsay, Title 26, chapter 10, M.R.Ev., Rule 805
- mentally ill persons, commitment trial, 53-21-126
- transaction, what comprises, 26-1-103

Higher evidence, presumption, 26-1-602

Highway patrol officers, disciplinary proceedings, 44-1-803

Highways
- animals on, negligence not presumed or inferred from collision with motor vehicle, 60-7-203
- railroad crossings, hearing on prioritization of expenditures, 60-2-121

Historical treatises and events, hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 803

Homicide
- confession, 45-5-111
- corpus delicti, 45-5-111
- inference of knowledge or purpose, 45-5-112
- mental state, inference, 45-5-112
- occurrence within state, presumption of, 46-2-101

Horses
- herd districts, official acts — presumption of good faith and conformance to provisions, 81-4-328
- roundup of abandoned
  - foreman's report, 81-4-513
  - official acts, presumption of good faith and conformance to provisions, 81-4-515

Hospital districts, petition for creation — hearing, 7-34-2108

Hostile witnesses, See **Examination of witness**

Housing authorities
- county, admissibility of certificate of incorporation, 7-15-2110

EVIDENCE (Continued)
Housing authorities (Continued)

- municipal
    - certificate of incorporation, admissibility of copy, 7-15-4412
    - commissioners' appointments, certificate as, 7-15-4431
    - creation, presumption of regularity, 7-15-4412
    - examinations and investigations, 7-15-4458

Human Rights, Commission for
- complaint allegations, 49-2-504, 49-3-307
    - insufficiency, 49-2-509, 49-3-312
- investigations, 49-2-203

Human skeletal remains, criminal activity — of, 22-3-805
Husband-wife, See **Married persons**; **Privileges**
Identification, evidence, See **Authentication or identification**
Identification number, possession as presumption of knowledge of obscuring, 45-6-326
Identification, person — presumption from name, 26-1-602
Illness of witness, See **WITNESSES**
Immunity of witness, See **WITNESSES**
Immunization of school children, requirements, 20-5-403, 20-5-406, 20-5-409
Impeachment of
- assigned counsel, false financial statement to obtain, 46-8-111
- credibility of witness, Title 26, chapter 10, M.R.Ev., Rules 607, 608, 609, 806
- judicial record, 26-3-105
- plea of guilty, offer to plead guilty, or plea of nolo contendere — admissibility, Title 26, chapter 10, M.R.Ev., Rule 410
- relevance, subsequent remedial measures, Title 26, chapter 10, M.R.Ev., Rule 407
- testimony, Title 25, chapter 20, M.R.Civ.P., Rule 32(a), Title 26, chapter 10, M.R.Ev., Rule 607
- youth court, statements in, 41-5-402

Inadmissibility, See **Admissibility**
Incomplete introduction, Title 26, chapter 10, M.R.Ev., Rule 106
Inconsistent statements
- extrinsic evidence, admissibility, Title 26, chapter 10, M.R.Ev., Rule 613
- hearsay declarant, Title 26, chapter 10, M.R.Ev., Rules 801, 803, 806
- instructions to jury, 26-1-403
- preponderance of evidence, 26-1-403
- truthfulness of witness, presumption repelled by, 26-1-302

Indemnity, judgment against person indemnifying presumptive when, 28-11-317
Indictment, sufficiency for, 46-11-331
Indirect evidence, See **Circumstantial evidence**; See also **Inferences**; **Presumptions**
Industrial infrastructure development project bond issuance, presumption of regularity, 7-15-4304
Infant mortality and morbidity information privileged, 50-16-102
Inferences, 26-1-501, See also **Circumstantial evidence**
- aircraft, operation under the influence of alcohol or drugs, 67-1-211
- alcoholic beverages, 16-6-208, 16-6-209
- arises, how, 26-1-502
- blood tests, from, 23-2-535, 61-8-401, 67-1-211
- boats, operation under the influence of alcohol or drugs, 23-2-535
- crimes, mental state, 45-2-103
- driving under the influence of alcohol or drugs, 61-8-401
- estate distribution, negligence not inferred, 72-3-916
- experts, Title 26, chapter 10, M.R.Ev., Rule 703
- homicide, inference of knowledge or purpose, 45-5-112
- insurer's liquidation proceedings, inference of transfer being made prior to petition for liquidation, 33-2-1357
- limitations, Title 26, chapter 10, M.R.Ev., Rule 701

EVIDENCE (Continued)
Inferences (Continued)

- livestock on highway, negligence not inferred from collision with motor vehicle, 60-7-203
- privilege, no inference from claim, Title 26, chapter 10, M.R.Ev., Rule 505
- ultimate issue, on, Title 26, chapter 10, M.R.Ev., Rule 704

Inferior evidence, presumption, 26-1-602
Informants
- criminal proceedings, discovery, 46-15-322, 46-15-324
- testimony by, 45-7-206; Title 26, chapter 10, M.R.Ev., Rule 502

Inheritance tax, See **Taxation**
Injunctions, for, 27-19-303
Insanity, See **Mental** entries
Institutions, ability to pay ancillary and per diem charges, 53-1-406
Instructions to the jury on, See **CIVIL PROCEDURE**, **Jury instructions**
Instruments, See **Writings and recordings**; See also **INSTRUMENTS**, **Proof of execution**
Insufficiency, See **Weight and sufficiency of evidence**
Insurance
- agreements, admissibility, Title 25, chapter 20, M.R.Civ.P., Rule 26(b); Title 26, chapter 10, M.R.Ev., Rule 411
- applications as, when, 33-15-402
- commissioner of
  - certificate of person's authority to transact insurance, of facts therein, 33-1-312
  - hearings, 33-1-704, 33-1-711
  - records or documents, certified copies, 33-1-312
- credit life and disability
  - insurability, of, 33-21-203
  - insurance, of, 33-21-204
- disability
  - cancellation notice, affidavit as prima facie evidence of notice, 33-22-122
  - insurability, of, 33-22-308
  - limited benefit policies, of coverage, 33-22-1202
- examinations, investigations, or hearings — for, 33-1-315, 33-1-316, 33-1-408, 33-1-409
- group life, of insurability, 33-20-1203, 33-20-1205, 33-20-1212
  - credit union groups, 33-20-1106
  - debtor groups, 33-20-1105
  - employee groups, 33-20-1101, 33-20-1111
  - employer and labor union combination groups, 33-20-1103
  - labor union groups, 33-20-1102, 33-20-1103, 33-20-1111
  - not required when, 33-20-1209
  - public employee groups, 33-20-1104
- insurance producer's appointment, information in notice of termination — inadmissibility, 33-17-231
- life
  - cancellation notice, affidavit as prima facie evidence of notice, 33-20-142
  - insurability, 33-20-112, 33-20-307, 33-20-401
- long-term care
  - association maintained for, organizational requirements, 33-22-1107
  - policy coverage, certificate as evidence, 33-22-1107
- motor vehicle
  - fraud, 61-3-106
  - liability, hearings on notice of cancellation or nonrenewal, 33-23-215
- property, payment of money as premium as prima facie evidence of owner of property insured, 33-24-102
- rating or advisory organizations
  - licenses, prerequisites, 33-16-402
  - orders, findings of fact on which based — prima facie evidence, 33-16-113

EVIDENCE (Continued)
Insurance (Continued)

- surplus lines
  - advisory organizations, 33-2-321
  - evidence of, 33-2-308, 33-2-310

Insurers
- claim settlements, violation of unfair practices — proof of frequency of violations not required, 33-18-242
- domestic stock and mutual
  - certificate of incorporation, certified copy as prima facie evidence, 33-3-202
  - contingent liability, assessment for and amount of assessment as prima facie correct, 33-3-413
  - merger or consolidation, for, 33-3-217
- farm mutual, certified copies of articles of incorporation, 33-4-205
- holding company systems
  - control, presumption, 33-2-1101
  - judicial review, record as, 33-2-1123
- liquidation proceedings
  - claims, proof, 33-2-1365
  - liquidator's authority, 33-2-1345
  - premiums owed, evidence of violation of recovery provisions, 33-2-1362
  - transfers
    - inference of, being made prior to petition for liquidation, 33-2-1357
    - validity, burden of proof on person asserting, 33-2-1352
- prohibited practices, in actions regarding, 33-18-242, 33-18-1003
- unauthorized
  - failure to defend action as prima facie evidence, 33-1-616
  - surplus lines, of reputation and integrity, 33-2-307

Interest of witness in outcome
- credibility, effect on, 26-1-302
- statements against, 26-2-302; Title 26, chapter 10, M.R.Ev., Rule 804

Interpreters
- applicability of rules, Title 26, chapter 10, M.R.Ev., Rule 604
- deaf persons, for, 49-4-503, 49-4-511

Interrogation of witness, See **Cross-examination of witness; Examination of witness**
Interrogatories, See **CIVIL PROCEDURE, Discovery**
Introduction
- partial, Title 26, chapter 10, M.R.Ev., Rule 106
- prohibited, Title 25, chapter 20, M.R.Civ.P., Rule 37(b)

Investigative subpoenas, See **SUBPOENAS**
Investments, Board of — hearings, 17-5-1611
Irrigation districts
- correction of errors in decrees or orders, facts in notice, 85-7-1811
- creation
  - facts in petition, 85-7-105
  - hearing on petition, 85-7-106
  - subdistricts, testimony, 85-7-403
- engineer's report and recommendations, 85-7-1901
- exclusion of lands
  - facts in notice, 85-7-1805
  - hearing on petition, 85-7-1806
- indebtedness, cancellation and surrender of bonds, 85-7-1955
- revenue bonds, validity — recitals as evidence of, 85-7-1432
- tax sale lands, interest of district, 85-7-2152
- title to lands, 85-7-102

Issues, See also **CIVIL PROCEDURE, Issues; CRIMINAL PROCEDURE, Issues**
- fact, province of jury, 26-1-202

EVIDENCE (Continued)
Issues (Continued)

  law, province of court, 25-7-102, 26-1-201; Title 26, chapter 10, M.R.Ev., Rule 202
  opinion on ultimate issue, admissibility, Title 26, chapter 10, M.R.Ev., Rule 704
  pleadings, amendment for conformance, Title 25, chapter 20, M.R.Civ.P., Rule 15(b)
Judges, presumption of lawful exercise of jurisdiction, 26-1-602
Judgments
  birth date, on, 27-32-301
  effect, 26-3-201, 26-3-205
  hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
  preexisting judgments, validation, 25-9-105
  presumption created by, 26-1-601, 26-3-205
  res judicata, Title 25, chapter 20, M.R.Civ.P., Rule 8(c); Title 26, chapter 3
  summary judgment, affidavit contents, Title 25, chapter 20, M.R.Civ.P., Rule 56(e)
Judicial notice
  administrative hearings, 2-4-612, 2-4-614
  crime control, division of — authority in crime victims reparation proceedings, 53-9-104
  facts, Title 26, chapter 10, M.R.Ev., Rule 201
  foreign law, Title 25, chapter 20, M.R.Civ.P., Rule 44.1
  hearsay, effect on, Title 26, chapter 10, M.R.Ev., Rule 803
  labor and industry, department of — seal, 39-51-301
  law, Title 25, chapter 20, M.R.Civ.P., Rule 44.1; Title 26, chapter 10, M.R.Ev., Rule 202
  state tax appeal board seal, 15-2-106
Judicial records, 1-1-202, 2-6-101
  correctness presumed, 26-1-602
  foreign, effect, 26-3-203 — 26-3-205
  impeachment, 26-3-105
  judgment, 26-3-102, 26-3-201, 26-3-205
  jurisdiction necessary to sustain, 26-3-101
  orders, effect, 26-3-201, 26-3-202
  parties, 26-3-101, 26-3-103, 26-3-104
  public writing, defined as, 2-6-101
  surety — principal also bound, joinder, 26-3-104
Judicial Standards Commission, proceedings privileged, 3-1-1105, 3-1-1122; Const., VII, 11
Jurisdiction of court or judge, presumption of lawful exercise, 26-1-602
Jury
  admonition to, presumption, 46-16-501
  confessions, hearings to be out of hearing of jury, 46-13-301; Title 26, chapter 10, M.R.Ev., Rule 104
  credibility of witness, exclusive judge, 26-1-302
  deliberations, 25-7-404, 25-7-405, 46-16-503, 46-16-504
  deliberations on all issues, presumption, 26-1-602
  inadmissible evidence, suggestion to jury to be prevented, Title 26, chapter 10, M.R.Ev., Rule 103
  inferences made by, 26-1-501
  instructions on, See **CIVIL PROCEDURE, Jury instructions**
  issues of fact, determination by, 26-1-202, 26-1-602
  presumptions, See **Presumptions**
  sexual intercourse without consent, exclusion from hearings on admissibility, 45-5-511
  views of premises, 25-7-401, 46-16-502
  weight of evidence judged by, 26-1-203
  witnesses called by court, objections when jury not present, Title 26, chapter 10, M.R.Ev., Rule 614
Justice's court
  docket to be evidence of facts therein, 3-10-502
  special procedures, See **JUSTICES' COURTS**
Kinds of evidence, 26-1-102

EVIDENCE (Continued)

Labels, self-authentication, Title 26, chapter 10, M.R.Ev., Rule 902
Landlord and tenant
  payment of rent, presumption, 26-1-602
  personal property of tenant, presumption of abandonment, 70-24-430
  renewal of lease, presumption, 70-26-204, 70-26-205
  retaliation of landlord, presumption, 70-24-431
  security deposit, presumption, 70-25-101
  term of lease, presumption of, 70-26-201
  title of landlord, presumption, 26-1-601
Land or mining claims in national forests, proper marking of boundaries, 81-4-219
Landscape architects
  business licenses, evidence of registration, 37-66-303
  licenses, false or forged evidence in obtaining, 37-66-104
  practice, evidence of qualifications to, 37-66-301
  violations, evidence of, 37-66-323
Land surveyors, See **Engineers and land surveyors**
Laws
  books, presumption of correctness, 26-1-602, 26-1-603
  issues, province of court, 25-7-102, 26-1-201; Title 26, chapter 10, M.R.Ev., Rule 202
  judicial notice, Title 25, chapter 20, M.R.Civ.P., Rule 44.1; Title 26, chapter 10, M.R.Ev., Rule 202
  Montana code annotated
    effect and presumption of legislative construction, 1-11-103
    references to other titles, chapters, parts, or sections within, 1-2-108
  obedience, presumption, 26-1-602
  recitals in statutes, conclusive evidence, 26-1-604
Leading questions, See **Cross-examination of witness; Examination of witness**
Leases
  consumer goods, consequential damages — prima facie unconscionable when, 30-2A-503
  consumer lease, accelerate at will — burden of establishing good faith, 30-2A-109
  contract enforceability, 30-2A-201
  default, burden to establish, 30-2A-516
  extrinsic, 30-2A-202, 30-2A-214
  final written expression, 30-2A-202
  oral, 30-2A-202
  parol, 30-2A-202, 30-2A-214
  rent, prevailing, 30-2A-507
  statute of frauds, contract enforceability, 30-2A-201
  unconscionable clause, 30-2A-108
  warranties, negation or limitation, 30-2A-214
  writings, seals inoperative, 30-2A-203
Letters of credit, notation credit, 30-5-108
Letters rogatory, by, Title 25, chapter 20, M.R.Civ.P., Rule 28(b)
Licensure of former offenders, evidence of rehabilitation, 37-1-205
Liens, construction
  contracting owner, presumption of agency, 71-3-522
  delivery of materials, presumption of use, 71-3-524
  materials supplied, intent for use, 71-3-524
Limited liability companies
  agent, registered — appointment, 35-8-105
  articles of organization, filing, 35-8-206
  dissolution, notice of — filing of articles of dissolution presumed to constitute, 35-8-904
  foreign, certification of tax payments, 35-8-1010
  members and managers
    admissions within scope of authority, effect, 35-8-302

EVIDENCE (Continued)
Limited liability companies (Continued)
  members and managers (Continued)
    interest by member in limited liability company, 35-8-704
Livestock
  department, power to receive, 81-2-506
  garbage feeders, pertaining to, 81-2-506, 81-2-507
  highway, collision with motor vehicle — negligence not inferred or presumed, 60-7-203
  marks and brands record, 81-3-103, 81-3-105
  product samples, analyses or tests, 81-2-102
  stolen, vehicles used to transport — forfeiture, 81-5-108, 81-5-109
  violations, investigative expenses — prima facie evidence of reasonableness and liability, 81-2-109
Livestock dealers
  bad checks, issuance — prima facie evidence of knowledge, 81-8-235
  complaints, pertaining to, 81-8-274
Loans, presumed to be made on interest, 31-1-103
Lobbying violations, 5-7-212
Logger's lien, presumption on purchase of property, 71-3-612
Machine guns
  possession, presumption of purpose, 45-8-305
  presence as evidence of possession, 45-8-306
  registration, presumption from failure to register, 45-8-309
Magazines
  authentication, Title 26, chapter 10, M.R.Ev., Rule 902
  hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
Mail, presumption of receipt, 26-1-602
"Malice or maliciously" denoting state of mind, establishment by presumption, 1-1-204
Manner of witness, 26-1-302, See also **Credibility of witness**
Market reports, hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 803
Marriage
  certificate of, 40-1-322, 50-15-109
  declaration of invalidity, certificate, 50-15-109
  hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 803, 804
  presumptions, 26-1-602, 40-1-322
Married persons
  children of spouse, presumption of support for as a parent, 40-6-217
  inventory of individual property as prima facie evidence when, 40-2-204
  privilege, See **Privileges**, spouses
  work and labor, presumption regarding, 40-2-207
Master and servant agreements, 39-2-602, 39-2-603
Masters, powers of, Title 25, chapter 20, M.R.Civ.P., Rules 53(c), 53(d), 53(e)
Mausoleums and columbariums
  dedication of property, presumption, 26-1-602
  plots conveyed to individuals, presumption of ownership, 35-21-418
Media Confidentiality Act, Title 26, chapter 1, part 9
Mediator in family law mediation, privilege, 26-1-811
Medical diagnosis or treatment, statements for — hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 803
Medical examination
  depositions, for, Title 25, chapter 20, M.R.Civ.P., Rule 35(b)
  sexual intercourse without consent, 46-15-411
Medical Examiners, Board of — authority, 37-3-203, 37-13-201, 37-13-304
Medical examiner, state — by, 44-3-102, 44-3-211
Medical journals or treatises, hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
Medical Legal Panel
  decision on, 27-6-602
  documentary, 27-6-308, 27-6-502

EVIDENCE (Continued)
Medical Legal Panel (Continued)

- hearings, 27-6-502, 27-6-503
- privilege, effect of waiver for review panel, 27-6-302, 27-6-306
- proceedings and decision, inadmissible, 27-6-704

Medical practitioners' interest in drug companies, prima facie evidence of acquisition for investment or for prescribing company's drugs, 37-2-102
Medical professional review committees, proceedings and records, 37-2-201
Medical record information, See **Health care information**
Megalandfill siting

- amendment to certificate, burden of proof concerning proposed changes, 75-10-925
- certification proceedings, 75-10-924, 75-10-926, 75-10-928
- prehearing conference, 75-10-926

Memory

- hearsay exceptions, effect on, Title 26, chapter 10, M.R.Ev., Rules 803, 804
- recorded recollections, Title 26, chapter 10, M.R.Ev., Rule 803
- writings to refresh, Title 26, chapter 10, M.R.Ev., Rule 612

Mental disease or defect of criminal defendant

- admissibility to prove lack of required mental state, 46-14-102
- commitment, evidence for release, 46-14-301, 46-14-302
- predisposition investigation, 46-14-301
- privileged information, 46-14-217
- psychiatric or psychological testimony, 46-14-213, 46-14-221
- sentencing, consideration in, 46-14-311

Mentally ill persons, commitment

- conditional release, 53-21-197, 53-21-198
- cross-examination, 53-21-115, 53-21-126
- inadmissibility in subsequent proceedings, 53-21-190
- privileges, 53-21-141, See also **Privileges**
- professional person, testimony, 53-21-118, 53-21-126
- proof, standard of, 53-21-126
- rules of evidence, applicability, 53-21-115

Mental state

- hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 803, 804
- inference, 45-2-103
- presumption, 26-1-602

Metropolitan sanitary and/or storm sewer districts, presumption of areas contributing to water pollution, 7-13-113
Midwives, direct-entry

- alternative health care board, authority, 37-27-105
- informed consent, 37-27-311
- practical experience, participation as primary birth attendant, 37-27-201
- privileged communications and exceptions, 37-27-310

Milk products, See **Dairies and dairy products**
Mineral trusts for unlocatable owners, presumption of ownership, 82-1-306
Mines and mining

- claim, petition for inspection or survey — hearing, 70-19-204
- custom and usage, 70-19-201
- leases
  - demand for release, copy, 82-1-203
  - expiration, notice, 82-1-202
- location of claim
  - abandonment, 82-2-102
  - boundaries, proper marking, 82-2-101
  - certificate, facts in, 82-2-102
  - national forests, claims in, 81-4-219
  - united states patent, effect, 82-2-113

EVIDENCE (Continued)
Mines and mining (Continued)
  location of claim (Continued)
    working, affidavit, 82-2-103
  metal mines
    explosives, property damage or safety hazards caused by use, 82-4-356
    presumption of abandonment, 82-4-303
    water damage, 82-4-355
  opencut mines
    production, 82-4-422
    violations, penalty assessment hearings, 82-4-441
  strip and underground mining
    bond, release, 82-4-232
    violations and penalties, hearing on, 82-4-254
    water damage, 82-4-253
Minors, See also **YOUTH COURT**
  abandonment by parent, presumption of relinquishment of service and custody, 40-6-235
  abuse and neglect, See **Child abuse and neglect**
  aftercare violation hearings, 52-5-129
  custody, See **Child custody**
  employment violations, records, 41-2-116
  hard-to-place child, adoption, 52-2-506
  infant mortality and morbidity information privileged, 50-16-102
  legitimacy, 26-1-602, 40-6-201, 40-6-202, 50-15-207; Title 26, chapter 10, M.R.Ev., Rules 803, 804
  parent-child legal relationship termination, testimony concerning mentally ill parent, 41-3-609
  privileged communications, 26-1-808, 26-1-809
    child abuse and neglect proceedings, 41-3-201, 41-3-204, 41-3-404, 46-16-212
    release of information concerning, 41-1-403
  support, See **Child support proceedings**
Missing persons, presumptions, 26-1-622, 26-1-623
Mistake, Title 25, chapter 20, M.R.Civ.P., Rule 61; Title 26, chapter 10, M.R.Ev., Rule 103
Mobile home park rules, rebuttable presumption of unfair rules, 70-24-313
Money, presumption of payment, 26-1-602
Morticians, education requirements, 37-19-302
Mosquito control districts, creation — hearings, 7-22-2408
Motions
  evidence on, Title 25, chapter 20, M.R.Civ.P., Rule 43(e)
  new trial, for — additional testimony, Title 25, chapter 20, M.R.Civ.P., Rule 59(a)
Motor carriers
  certificate applications, public convenience and necessity, 69-12-321, 69-12-323
  excess rates, fares, or charges — recovery, nonadmissibility of contracts or agreements, 69-12-511
  nonpayment of fee, statements not filed, or lack of information — prima facie evidence of, 69-2-205
  operating authority
    intrastate, suspension prima facie presumption of absence of public convenience and necessity, 69-12-404
    temporary, concerning, 69-12-207
  public service commission members, agents, or examiners — authority, 69-12-204, 69-12-206
  rates, fares, charges, classification, or rules of service
    cases, 69-2-102
    revision or change, 69-12-504, 69-12-505
  status as, prima facie evidence of, 69-12-106
Motor fuel marketing
  below-cost sale violations, 30-14-806

EVIDENCE (Continued)
Motor fuel marketing (Continued)

retail, prima facie evidence of intent to injure competitors or destroy or lessen competition, 30-14-804
Motor vehicles
accident reports not allowed, 61-7-109
animals, collision with — negligence not presumed or inferred, 60-7-203
campers, purchase, 61-3-519
certificate of ownership
duplicate — facts concerning loss, mutilation, or illegibility, 61-3-204
joint ownership with right of survivorship, presumption, 61-3-202
off-highway vehicles, 23-2-801, 23-2-812
transfer of interest, requirements for, 23-2-812, 61-3-201, 61-3-208
certificate of registration, requirements for transfer of interest, 61-3-201
child safety restraint systems, admissibility without presumption of negligence, 61-9-422
dealers, prima facie evidence of dealing, 61-4-101
drivers' licenses, See **Drivers' licenses**
driving under the influence of alcohol or drugs
admissibility, 61-8-404
blood tests, inferences from, 61-8-401
commercial driver's license, suspension hearing, 61-8-805, 61-8-808
driver's license, hearing on appeal from suspension or revocation, 61-8-403
forfeiture, rebuttable presumption, 61-8-421
financial responsibility
appeal hearings, 61-6-106
liability insurance, hearings on notice of cancellation or nonrenewal, 33-23-215
money or securities as proof
certificate, acceptance — evidence required for, 61-6-138
return of, requirements, 61-6-142
foreign, ownership, 61-3-701
franchises
sale by change of ownership, burden of proof on franchisor to prove good cause for withholding consent to, 61-4-205
termination or discontinuance
burden of proof on franchisor to establish good cause for, 61-4-206
hearings, 61-4-206
habitual traffic offenders, abstracts of conviction records, 61-11-207
insurance fraud, 61-3-106
manufacturers and distributors, threats as prima facie evidence when, 61-4-404
off-highway vehicles
certificate of ownership, 23-2-801
transfer of interest, requirements, 23-2-812
fee in lieu of tax, evidence of payment required when, 23-2-817
registration fees, evidence of payment required when, 23-2-804
security interest, perfection, 23-2-811
records, reproductions — admissibility, 61-11-102
registrants as prima facie owners, 61-3-105
salvage vehicles
ownership, prima facie evidence, 61-3-211
reconstructed vehicles, component parts — verification, 61-3-212
school bus, passing — registered owner of vehicle prima facie responsible for violation, 61-8-351
seatbelt provisions, evidence of compliance or noncompliance — nonadmissibility, 61-13-106
security interest, perfection, 61-3-103
speed
bridges, violation of speed limit on — evidence of maximum speed, 61-8-313

EVIDENCE (Continued)
Motor vehicles (Continued)
  speed (Continued)
    radar measurements, 61-8-702
  theft, 61-3-106
  warranty on new vehicles
    arbitration disputes, 61-4-517, 61-4-518, 61-4-520
    dealers not liable to manufacturer in absence of evidence concerning repairs, 61-4-505
    informal dispute settlement procedure, 61-4-511
    reasonable number of attempts to conform, presumption, 61-4-504
    repair services not available, presumption when, 61-4-502
  wrecking facility, prima facie evidence of, 75-10-502
  "yield" intersections, collision or interference at — evidence of failure to yield right-of-way, 61-8-342
Municipal commission government, investigatory powers of council, 7-3-4260
Municipal commission-manager government
  city manager, investigations by, 7-3-4366
  civil service board investigations, 7-3-4414
  commission investigations, 7-3-4365
Municipal finance consolidation bonds and notes, presumption of validity, 17-5-1625
Municipal zoning board of adjustment appeal hearings, 76-2-327
Museums, records of written contacts with lenders of property, 22-3-521
Name, presumption of identity from, 26-1-602
Natural areas, hearings on designation or acquisition, 76-12-112
Naturopathic physicians
  complaints, hearings on, 37-26-409
  licenses
    applicants, qualifications — burden of proof of possessing, 37-26-403
    endorsement, by — requirements, 37-26-404
    reinstatement following suspension, requirements, 37-26-410
Negligence
  insurance against, effect, Title 26, chapter 10, M.R.Ev., Rule 411
  remedial measures, subsequent, Title 26, chapter 10, M.R.Ev., Rule 407
  voluntary payment, effect, See **Voluntary payment of claim**
Negotiable instruments
  accommodation party, presumption, 30-3-415
  alteration, holder in due course, 30-3-302
  authentication, Title 26, chapter 10, M.R.Ev., Rule 902
  burden of establishing, 30-1-201
  collateral, impairment — burden of proof, 30-3-607
  consideration, 26-1-602
  conversion, liability — presumption, 30-3-419
  defenses, burden of proof, 30-3-307
  dishonor, 30-3-510
  endorsement, 26-1-602
  enforcement of lost, destroyed, or stolen instrument, 30-3-309
  forgery, holder in due course, 30-3-302
  holder in due course, rights — burden of proof, 30-3-307
  incomplete instruments, unauthorized completion — burden of establishing, 30-3-115
  notice of dishonor, 30-3-510
  ordinary care, failure to exercise — burden of proof, 30-3-406
  presentment, authority to make, 30-3-504
  "prove" defined, 30-3-102, 30-4-104
  recoupment, claim in — burden of proof, 30-3-307
  signatures, validity, 30-3-307
  third-party documents, 30-1-202
Newly discovered evidence, 25-11-102, 25-11-103; Title 25, chapter 20, M.R.Civ.P., Rule 60(b); Title 25, chapter 21, M.R.App.P., Rule 7

EVIDENCE (Continued)

News media, privileges, See **Privileges**, media
Newspapers
  authentication, Title 26, chapter 10, M.R.Ev., Rule 902
  printer's affidavit, 26-1-1011, 26-1-1012
New trial, decision on — reference to, Title 25, chapter 20, M.R.Civ.P., Rule 59(d)
Nolo contendere, plea of, 35-1-452, 35-2-447; Title 26, chapter 10, M.R.Ev., Rules 410, 803
Nonprofit corporations
  certificate of existence, 35-2-1112
  derivative proceedings not in best interest, burden of proof, 35-2-1304
  directors, action without meeting — written consents, 35-2-428
  effective date of document, 35-2-121
  existence, 35-2-214
  incorporators, action without meeting — written consents, 35-2-216
  members, action without meeting — written consents, 35-2-529
  records, 35-2-907
  secretary of state, documents filed with, 35-2-1109, 35-2-1112
  vote, consent, proxy appointment, or waiver — acceptance requirements, 35-2-542
Notarial acts, 1-5-603, 1-5-604, 1-5-606 — 1-5-608
Notation credit, 30-5-108
Notice, See **Judicial notice**
Nurses
  license applicants, qualifications, 37-8-405, 37-8-415
  privileges, 26-1-809, See also **Privileges**
  qualification to practice, of, 37-8-101
Nursing education programs, applications for approval, 37-8-301
Nursing home administrators, sufficient education or training, 37-9-301
Oath of witness, See **WITNESSES**
Objections, 2-4-612, 2-4-614; Title 26, chapter 10, M.R.Ev., Rule 103
Objects, defined as evidence, 26-1-101
Obligations
  care, presumption, 26-1-602
  delivery, presumption of payment, 26-1-602
  third parties, 26-1-104
  usage, establishment by presumption, 1-1-206
  voluntary retention of benefit, presumption when partial performance, 28-1-1105
Obscenity, 45-8-201
Obstruction of justice, evidence of compromise negotiations, Title 26, chapter 10, M.R.Ev., Rule 408
Occupational disease reports
  death caused by, 39-72-605
  discovery of disease, report inadmissible, 50-70-107
  income information released when, 53-2-211
  medical panel's reports, 39-72-609, 39-72-610
  physical examination, 39-72-607, 39-72-609, 39-72-610, 50-70-107
  proximate cause, 39-72-408
  silicosis complicated by tuberculosis, presumption of total disablement, 39-72-102
Occupational therapists, licensing — certification and completion of educational requirements and fieldwork experience, 37-24-303
Occupational Therapy Practice, Board of — prima facie evidence of validity of proceedings, records, or acts, 37-24-202
Offenses
  evidence on, See **Criminal**; specific offense
  false swearing, 45-7-202
  perjury, 45-7-201
  tampering with evidence, 45-7-206, 45-7-207

EVIDENCE (Continued)
Offenses (Continued)

  witnesses, involving, See **WITNESSES**
Offer of compromise, admissibility, See **Compromise or offers to compromise**
Offers of proof, Title 26, chapter 10, M.R.Ev., Rule 103
  administrative hearings, 2-4-612, 2-4-614
  sexual intercourse without consent, 45-5-511
Offer to plead guilty or nolo contendere, Title 26, chapter 10, M.R.Ev., Rule 410
Off-highway vehicles, See **Motor vehicles**
Official acts and writings, See also **Public officers or employees; Public records**
  authentication, Title 25, chapter 20, M.R.Civ.P., Rules 44(a), 44(c); Title 26, chapter 10, M.R.Ev., Rules 902, 1005
    acts of congress relating to, Refer to Annotations to Montana Code Annotated, Vol. 1, Federal materials
  contents, evidence of, Title 26, chapter 10, M.R.Ev., Rule 1005
  lack of record, Title 25, chapter 20, M.R.Civ.P., Rules 44(b), 44(c)
  missing persons act, in accordance with, 26-1-622, 26-1-623
  presumption of
    correctness, 26-1-605, 26-1-606
    regularity of performance, 26-1-602
  prima facie evidence, 26-1-605, 26-1-606
  written statement concerning lack of record, Title 25, chapter 20, M.R.Civ.P., Rule 44(b)
Oil and Gas Conservation, Board of
  actions against, 82-11-144
  production compelled by, 82-11-142
Old-age assistance recovery, presumption of value on transfers, 53-5-401
Opinion testimony
  character evidence, Title 26, chapter 10, M.R.Ev., Rules 405, 608
  experts, See **Expert testimony**
  habit, Title 26, chapter 10, M.R.Ev., Rule 406
  handwriting, Title 26, chapter 10, M.R.Ev., Rule 901
  lay witness, Title 26, chapter 10, M.R.Ev., Rule 701
  religious opinion of witness, Title 26, chapter 10, M.R.Ev., Rule 610
  routine practice, Title 26, chapter 10, M.R.Ev., Rule 406
  ultimate issue, on, Title 26, chapter 10, M.R.Ev., Rule 704
  voice identification, Title 26, chapter 10, M.R.Ev., Rule 901
Optometrists' certificates of registration, purchase with intent to use as evidence of qualifications, 37-10-301
Oral, See **Parol**
Oral examination, See **Examination of witness**
Order of presenting, 25-7-301, 46-16-401, 46-16-402
Orders, effect, 26-1-601, 26-3-201, 26-3-202
Organ donations, evidence of refusal, 72-17-213
Original documents, writings, and recordings, See **Writings and recordings**
Osteopaths, license applicants
  qualifications, evidence of, 37-5-301, 37-5-303
  school of osteopathy, evidence of having attended, 37-5-302
Outfitters and guides, presumption of what constitutes consideration, 37-47-102
Paint, laboratory analysis, 30-12-1003
Park Commissioners, Boards of — minutes of proceedings as prima facie evidence
  county, 7-16-2311
  municipal, 7-16-4210
Park districts, county — hearings
  creation, for, 7-16-2411
  dissolution, for, 7-16-2442
Parking commissions, establishment and authorization, 7-14-4607

EVIDENCE (Continued)

Parol, 1-4-102
  conduct, prohibited for, Title 26, chapter 10, M.R.Ev., Rule 608
  contracts, 28-2-904, 28-2-905, 28-3-402, 30-2A-202, 70-20-202, 72-2-534
    sales, 30-2-202, 30-2-316, 30-2-326
  deeds, 28-2-904, 28-2-905, 70-20-202
  documents not required for authentication when, Title 26, chapter 10, M.R.Ev., Rule 902
  inconsistent statements, Title 26, chapter 10, M.R.Ev., Rule 613
  instruments, interpretation by judge, 1-4-102
  leases, 30-2A-202, 30-2A-214
  postconviction hearings, 46-21-201
  trusts for domestic or pet animals, transferor's intent, 72-2-1017
  wills, 28-2-905, 70-20-202, 72-2-522, 72-2-534
Parole
  evaluation for, 46-18-404
  interstate supervision, hearings, 46-23-1105
Parolees or probationers, evidence of rehabilitation, 37-1-205
Partial introduction, Title 26, chapter 10, M.R.Ev., Rule 106
Partition
  city or town included in area, 70-29-206
  continuation of action when sale proceeds deposited in court, 70-29-324
  minor's interests, 70-29-102
Partnerships
  continuation, 35-10-406
  creation, 26-1-602, 35-10-202
  fictitious name, 35-11-202
  property
    undertaking for discharge of attachment — fixing sum or determination of sureties' sufficiency, 35-10-506
    vesting in person, 35-10-302
Passenger Tramway Safety, Board of — authority, 23-2-721
Paternity proceedings
  blood test results, 40-6-113, 40-6-115
  certificate naming father, 50-15-109
  depositions, 40-6-107
  general inclusions, 40-6-113
  inadmissible evidence, 40-6-115
  mother not compelled to testify, 40-6-128
  presumption of paternity, 40-5-232, 40-5-234, 40-6-105, 40-6-108, 40-6-126
  relinquishment of parental rights, petition for revocation, 40-6-135
  witness' immunity from criminal liability when, 40-6-111
Payment of claim, effect, See **Voluntary payment of claim**
Periodicals, See **Magazines**; **Newspapers**; **Publications**; **Writings and recordings**
Perjury, 45-7-201
Perpetuation of testimony
  action for, Title 25, chapter 20, M.R.Civ.P., Rule 27(c)
  deposition, by, See **DEPOSITIONS**
Persistent felony offender status, notice, 46-13-108
Personal knowledge required, Title 26, chapter 10, M.R.Ev., Rule 602
Personal solicitation sales, presumption of time for redelivery of goods, 30-14-507
Persuasion, burden of, 26-1-402, See **Burdens of proof**
Pesticide analysis, certified copy as, 80-8-302
Petroleum storage tank releases, 75-11-309
Pharmacies
  certification requirement, 37-7-321
  out-of-state mail service pharmacies, evidence of compliance, 37-7-703

EVIDENCE (Continued)

Photographs, Title 26, chapter 10, M.R.Ev., Rule 1001, See also **Writings and recordings**
  aging persons, abuse or neglect, 52-3-815
  child abuse and neglect, 41-3-202, 41-3-204
  criminal proceedings, discovery, 46-15-322, 46-15-323
  developmentally disabled persons, abuse or neglect, 52-3-815
  manufactured dairy products, proceedings regarding, 81-22-107
  theft, items allegedly taken or converted — admissibility procedure, 26-1-608
Physical condition, hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
Physical therapists
  certificate, prima facie evidence to represent as licensed therapist, 37-11-306
  licenses
    applications, of qualifications, 37-11-304
    temporary, evidence that therapist is in state on temporary basis, 37-11-309
Physicians, See also **Medical** entries
  alcoholics, commitment — testimony by examining physician, 53-24-302
  charges or complaints against, investigatory hearings, 37-3-323
  driver's license proceedings, physician's report, 37-2-311
  health care facility agreement concerning partnership, agency, employment, or joint venture, 37-3-322
  licenses
    applications, burden of proof on applicant to prove qualifications, 37-3-309
    register as prima facie evidence, 37-3-205
    suspension or revocation, hearings for, 37-3-323
  medical school, evidence of graduation from, 37-3-309
  parent-child legal relationship termination, testimony concerning mentally ill parent, 41-3-609
  privileged communications, See **Privileges**
  unprofessional conduct, evidence of, 37-3-322
Pipeline carriers
  nonpayment of fee, statements not filed, or lack of information — prima facie evidence of, 69-2-205
  orders by public service commission, prima facie evidence of validity, 69-13-202
Pleadings amended to conform to, Title 25, chapter 20, M.R.Civ.P., Rule 15(b)
Plumbers, master — of experience for license applications, 37-69-305
Podiatrists
  contingency basis, testifying on, 37-6-310
  investigatory hearings and license reinstatement or revocation, 37-6-311
Police commission hearings pertaining to charges against police officer
  rights of accused, 7-32-4157
  rules, applicability, 7-32-4155
Polygraph examiners
  examinations, inadmissibility of results, 37-62-302
  licenses
    pocket card as evidence of licensure, 37-62-206
    suspension or revocation, hearings, 37-62-212
Postconviction hearings, 46-21-104, 46-21-201
Postsecondary educational institutions, compliance with standards, 20-30-202
Power of attorney
  disability, affidavit of lack of knowledge of — conclusive, 72-5-502
  statutory, authority, 72-31-223, 72-31-224
Predators, bounty claimants
  certificates or claims, for, 81-7-117
  killing animal, of, 81-7-111, 81-7-113
Prejudice of witness, Title 26, chapter 10, M.R.Ev., Rules 408, 411

EVIDENCE (Continued)

Preliminary examination
  presentation at, 46-10-202
  record, 46-10-204
Preliminary questions on admissibility, See **Admissibility**
Preponderance of evidence, 26-1-403, See **Burdens of proof**
Presence in court, requirements to testify, 26-2-303
Presentence investigation, 46-18-112
Presumptions, 30-1-201; Title 26, chapter 10, M.R.Ev., Rule 301, See also **Circumstantial evidence**
  acquiescence and belief, 26-1-602
  administrative rules presumed contrary to legislative intent, 2-4-404, 5-18-110
  agency, collecting bank, 30-4-201
  agricultural seeds, certificate of test results as correctness of facts, 80-5-111
  alcoholic beverage sales, legal age, 16-3-301
  arbitration, deliberations on all matters, 26-1-602
  authentication, Title 26, chapter 10, M.R.Ev., Rule 902
  banks and trust companies — collecting bank, agency status, 30-4-201
  boat certificates of ownership, joint ownership with right of survivorship, 23-2-510
  boats, operation
    negligent, presumption of owner's consent and knowledge, 23-2-505
    noise limitations, exceeding — public nuisance and disorderly conduct, 23-2-526
  books
    decisions of tribunals, correctness, 26-1-602
    law, correctness, 26-1-603
    official, correctness, 26-1-605
    printing by public authority, 26-1-602
  building and loan associations
    agent's consent, 32-2-262
    conversion, meeting on, 32-2-441
  care, 26-1-602
  cemeteries, dedication of property, 26-1-602
  child custody, presumption of joint custody, 40-4-224
  child support, paternity — establishment rebuttable, 40-5-232, 40-5-234
  cigarettes
    cost of doing business by retailer or wholesaler, 16-10-103
    discounts allowed upon purchases by wholesaler, 16-10-103
    insignia, lack of — violation of provisions, 16-11-113
    taxes, as direct tax on consumer, 16-11-112, 16-11-202
  cities and towns
    alteration of existing form of government, manner in which approved, 7-3-154
    annexation
      governing body, lawfulness of actions, 7-2-4743
      land conclusively presumed to be annexed when, 7-2-4210, 7-2-4331, 7-2-4421, 7-2-4511, 7-2-4621, 7-2-4761
    refunding revenue bonds, validity, 7-7-4609
    revenue bonds, validity, 7-7-4430
    service consolidation or transfer, validity of procedures, 7-11-310
  concealed weapon permit applicants, completion of firearms courses, 45-8-321
  conclusive, 26-1-601; Title 26, chapter 10, M.R.Ev., Rule 301
  consideration, 26-1-602, 28-2-804
  contract
    consideration, 26-1-602, 28-2-804
    fixing damages, actual amount, 28-2-721
    joint and several, 28-3-703
    mutuality, 28-2-303

EVIDENCE (Continued)
Presumptions (Continued)
- contract (Continued)
  - personal services, measure of compensation, 28-2-722
  - revision, equitable agreement, 28-2-1612
  - uncertainty, party which causes, 28-3-206
- conversion, presumption of value, 27-1-320
- corporate documents, validity or invalidity — presumption not created by filing, 35-1-1309
- cosmetic additives, unsafe, 50-31-109
- counties
  - alteration of existing form of government, manner in which approved, 7-3-154
  - service consolidation or transfer — validity of procedures, 7-11-310
- course of business, 26-1-602
- course of nature, 26-1-602
- courts
  - decisions, correctness of published reports, 26-1-602
  - jurisdiction, lawful exercise, 26-1-602
- credibility of witness, 26-1-302
- crimes
  - bail, effect of presumption of guilt, 46-9-102; Const., II, 21
  - death, occurrence within state, 46-2-101
  - guilty intent, 26-1-602
  - innocence, 26-1-602, 46-16-204
  - jury, admonition to, 46-16-501
- damages, actual amount when contract fixes, 28-2-721
- date, correctness, 26-1-602
- death, 26-1-602, 26-1-622, 26-1-623, 46-2-101
- debt, 26-1-602
- developmentally disabled persons, labor by residents not training tasks, 53-20-164
- disputable, 26-1-602; Title 26, chapter 10, M.R.Ev., Rule 301
- domestic abuse, purpose, 45-5-206
- do not resuscitate, individual intentions, 50-10-104
- drainage districts, regularity of commissioners' acts, 85-8-315
- drugs
  - additives, unsafe, 50-31-109
  - forfeiture of property seized in relation to controlled substances, 44-12-203, 44-12-204
  - imitation dangerous drugs, possession with intent to sell — sentencing presumption when offender a minor, 45-9-113
  - manufacturers, distributors, or dispensers — federal registration, 50-32-308
  - sentence for criminal possession when offender 21 years of age or less, 45-9-102
- effect, 26-1-303; Title 26, chapter 10, M.R.Ev., Rule 301
- elections
  - counting votes, incorrectness, 13-16-303
  - residence of elector, 13-1-112
- electronic funds transfers, authorization of transaction, 32-6-303
- estates and probate
  - community property, 72-9-103
  - elective share of surviving spouse, election by agent presumed to be on behalf of incapacitated spouse, 72-2-223
  - escheat, no presumption of heirs or next of kin, 72-14-102
  - 120-hour rule, survivorship requirement, 72-2-712
  - power of appointment, specific reference — donor's intention, 72-2-714
  - preexisting estates, 72-1-107
  - simultaneous death, 72-1-108, 72-2-712
  - trusts for domestic or pet animals, governing instrument — presumption against nature of disposition, 72-2-1017

EVIDENCE (Continued)
Presumptions (Continued)
  estates and probate (Continued)
    wills
      execution, 72-3-309
      revocation, presumption not created by execution of joint or mutual wills, 72-2-534
      self-proved, 72-3-309
      subsequent, presumption of intent to replace or supplement previous will, 72-2-527
    worthier title doctrine abolished, 72-2-720
  estoppel, 26-1-601
  existence, 26-1-602
  federal law, applicability, Title 26, chapter 10, M.R.Ev., Rule 302
  fictitious names, register, 35-11-202
  floodplains or floodways
    designations, of hydrological certainty, 76-5-202
    obstructions, cause of flooding, 76-5-109
  food
    additives, unsafe, 50-31-109
    adulteration, 50-31-202
    misbranded, 50-31-203
  fraternal benefit societies, standard of conduct required to justify indemnification or reimbursement — termination of action not, 33-7-307
  gasoline, special fuels use tax — correctness of assessment, 15-70-332
  gift, 70-3-104, 70-3-202
  grant includes essentials, 1-3-213
  grazing districts, official acts — good faith and conformance to provisions, 76-16-319
  health and environmental sciences, board of — meetings, 50-1-302
  higher evidence, 26-1-602
  highways
    livestock on, collision with motor vehicle — negligence not presumed or inferred, 60-7-203
    proposed highways or improvements, order creating presumption of necessity, 60-4-104
  hogs, weight, 15-24-931
  horse herd districts, official acts — good faith and conformance to provisions, 81-4-328
  horses, roundup of abandoned — official acts, good faith and conformance to provisions, 81-4-515
  housing authorities
    county, establishment, 7-15-2110
    municipal, of regularity, 7-15-4412
  identity from name, 26-1-602
  inconsistency, Title 26, chapter 10, M.R.Ev., Rule 301
  indemnity, conclusiveness of judgment, 28-11-317
  industrial infrastructure development project bond issuance, of regularity, 7-15-4304
  inferior evidence, 26-1-602
  inheritance tax
    apportionment of tax, presumption of accuracy of court's determination, 72-16-611, 72-16-612
    insurance, commissioner of — presumption of accuracy of valuation, 72-16-417
  innocence, 26-1-602
  insurance holding company systems, presumption of control, 33-2-1101
  judges — jurisdiction, lawful exercise, 26-1-602
  judgment, created by, 26-1-601, 26-3-205
  judicial record, correctness, 26-1-602
  jurisdiction — court or judge, lawful exercise, 26-1-602
  jury, deliberation on all issues, 26-1-602
  landlord and tenant
    payment of rent, 26-1-602
    personal property of tenant, abandonment, 70-24-430

EVIDENCE (Continued)
Presumptions (Continued)
- landlord and tenant (Continued)
    - renewal of lease, 70-26-204, 70-26-205
    - retaliation of landlord, 70-24-431
    - security deposit, 70-25-101
    - term of lease, 70-26-201
    - title of landlord, 26-1-601
- law books, correctness, 26-1-602, 26-1-603
- law, obedience to, 26-1-602
- legitimacy, 26-1-602, 40-6-201, 40-6-202
- liens, construction
    - contracting owner, of agency, 71-3-522
    - delivery of materials, of use, 71-3-524
- life-sustaining treatment, declaration to withhold or withdraw
    - execution, lack of — presumption of individual intentions not created, 50-9-205
    - validity, presumption of, 50-9-103
- limited liability company dissolution, notice of — filing of articles of dissolution to constitute, 35-8-904
- liquor excise tax accounting methods, determination of purchases outside state and sold for consumption within state, 16-1-403
- livestock, stolen — rebuttable presumption of forfeiture as to vehicles used to transport, 81-5-109
- loan, upon interest, 31-1-103
- loggers' lien, purchase of levied property, 71-3-612
- machine gun, offensive or aggressive purpose, 45-8-305, 45-8-309
- mail, receipt, 26-1-602
- "malice or maliciously" denoting state of mind, establishment, 1-1-204
- marriage, 26-1-602, 40-1-322
- married persons
    - children of spouse, support for as a parent, 40-6-217
    - work and labor, 40-2-207
- master and servant agreements, 39-2-602, 39-2-603
- mausoleums and columbariums
    - dedication of property, 26-1-602
    - plots conveyed to individuals, ownership, 35-21-418
- megalandfill siting certification proceedings, findings necessary for certification — conclusively presumed, 75-10-926
- metropolitan sanitary and/or storm sewer districts, areas contributing to water pollution, 7-13-113
- mineral trusts for unlocatable owners, ownership, 82-1-306
- mines and mining
    - claim, abandonment, 82-2-102
    - metal mine operation, abandonment, 82-4-303
- minors
    - abandonment by parent as relinquishment of services and custody, 40-6-235
    - legitimacy, 26-1-602, 40-6-201, 40-6-202
- missing persons, 26-1-622, 26-1-623
- money, payment, 26-1-602
- Montana code annotated, legislative construction, 1-11-103
- motor carriers, operating authority
    - intrastate, suspension — absence of public convenience and necessity, 69-12-404
    - temporary, granting of permanent authority not created by, 69-12-207
- motor vehicles
    - certificate of ownership, joint ownership with right of survivorship, 61-3-202
    - forfeiture, rebuttable presumption, 61-8-421

EVIDENCE (Continued)
Presumptions (Continued)
  motor vehicles (Continued)
    warranty period
      reasonable number of attempts to conform, 61-4-504
      repair services not available, when, 61-4-502
  municipal finance consolidation bonds or notes, validity, 17-5-1625
  name, identity from, 26-1-602
  negotiable instruments
    accommodation party, 30-3-415
    consideration, 26-1-602
    conversion, liability, 30-3-419
    dishonor, 30-3-510
    endorsement, 26-1-602
    notice of dishonor, 30-3-510
    signatures, authentic and authorized, 30-3-307
  obligations
    delivery, payment, 26-1-602
    usage, establishment, 1-1-206
    voluntary retention of benefit when partial performance, 28-1-1105
  occupational disease
    medical panel's report, correctness, 39-72-610
    total disablement, 39-72-102
  official duty, regularity of performance, 26-1-602
  old-age assistance recovery, value on transfers, 53-5-401
  orders, created by, 26-1-601, 26-3-202
  ordinary care, 26-1-602
  outfitters and guides, determination of consideration, 37-47-102
  paints, chemist's analysis report, 30-12-1003
  partial performance, voluntary retention of benefit, 28-1-1105
  partnership
    contract, 26-1-602
    creation, 35-10-202
    property as partnership property, 35-10-203
  paternity, 40-5-232, 40-5-234, 40-6-105, 40-6-108, 40-6-126
  payment
    debt, 26-1-602
    installments or rent, payment of former on production of receipts for latter, 26-1-602
    obligation, delivery, 26-1-602
  personal solicitation sales, time for redelivery of goods, 30-14-507
  private transactions, fairness and regularity, 26-1-602
  property
    boundaries, 70-16-202
    causa mortis gifts, 70-3-202
    conversion, presumption of value, 27-1-320
    conveyance
      breach, adequacy of damages as relief, 27-1-419
      delivery of grant, 70-1-509
      essentials, inclusion, 1-3-213
      fee simple, 70-20-301
      fiduciary, by, 26-1-602
      recording, 70-21-209
    delivery, 26-1-602
    deposit, when loss or injury, 70-6-203
    fee simple, passing, 70-20-301
    grant includes essentials, 1-3-213
    monuments, location at corner, 70-22-103
    ownership, 26-1-602

EVIDENCE (Continued)
Presumptions (Continued)
  property (Continued)
    possession, 26-1-602, 70-19-404, 70-19-412
    unclaimed, 70-9-201 — 70-9-210, 70-24-430
    unsolicited goods, gift, 70-3-104
    wife, presumption grantor had none, 70-20-316
  public assistance
    fraudulent conveyance to obtain, 53-2-601
    old-age assistance recovery, value on transfers, 53-5-401
  public officers or employees
    appointment of officer, regularity, 26-1-602
    class specifications, revision presumed to adversely affect employee, 2-18-1011
    duty, regularity of performance, 26-1-602
  railroads, assessment — description of property, 15-23-201
  sales
    personal solicitation, time for redelivery of goods, 30-14-507
    place and method of inspection exclusive, 30-2-513
  securities, signature — genuineness of, 30-8-105
  sentences, correctness, 46-18-904
  serial number, possession as presumption of knowledge of removal or obscuring, 45-6-326
  sexual intercourse without consent, credibility of victim, 45-5-511
  signatures, genuineness — securities, 30-8-105
  snowmobile certificates of ownership, joint ownership with right of survivorship, 23-2-612
  sound recordings, possession of copies without consent of owner, 30-13-143
  state of mind, establishment of malice or maliciously, 1-1-204
  statutes and references to other titles, chapters, parts, or sections, 1-2-108
  suppression of evidence, 26-1-602
  title, value, 27-1-304
  trusts
    advantage from beneficiary, trustee obtaining — violation of fiduciary duties, 72-34-105
    fertility, beneficiary — rebuttable, 72-33-409
    revocability, 72-33-401
  truthfulness of witness, 26-1-302
  unfair trade practices, cost of doing business, 30-14-211
  university system student's domicile and change in status, 20-25-503, 20-25-504
  unsolicited goods, gift, 70-3-104
  urban renewal
    bond issuance, of regularity, 7-15-4304
    transfer of title to property, of regularity, 7-15-4265
  voluntary acts, intent of consequences, 26-1-602
  water
    abandonment of appropriation right, 85-2-404
    abandonment of existing right, 85-2-212, 85-2-226
    emergency expenses of commissioners, necessity, 85-5-203
    watercourse, that depression is, 76-5-104
  water supply and sewer districts, pollution of watercourse or body of water, 7-13-3013
  weighing or measuring device, existence, 30-12-506
  witness, truthfulness, 26-1-302
  workers' compensation, employer — rebuttable presumption, 39-71-117, 39-71-118
  writings
    consideration, 26-1-601, 26-1-602, 28-2-804
    date, correctness, 26-1-602
    public printing, 26-1-602
    terms, construction, 1-4-107
    truth of facts recited, 26-1-601
    value, 27-1-304

EVIDENCE (Continued)
Presumptions (Continued)
  writings (Continued)
    wrongful conversion, presumption of value, 27-1-320
Pretrial diversion agreements, stipulations, 46-16-130
Pretrial procedure, Title 25, chapter 20, M.R.Civ.P., Rule 16(b), 16(c), 16(d)
Pretrial proceedings and records, closure and sealing when, 46-11-701
Price discrimination, commodities
  prima facie case, burden of rebutting, 30-14-904
  production of evidence, 30-14-906
Printer's affidavit, 26-1-1011, 26-1-1012
Prior statements, See also **Inconsistent statements**
  examination concerning, Title 26, chapter 10, M.R.Ev., Rule 613
  hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 804
Prisoners, testimony of, See **WITNESSES**
Private investigators and security patrol officers
  license applications, requirements, 37-60-303, 37-60-304
  securing evidence, 37-60-101
  violations, of, 37-60-411
Private Security Patrol Officers and Investigators, Board of
  records as, 37-60-201
  violations, of — duties, 37-60-411
Privatization of or privatized state programs, hearings, 2-8-302, 2-8-304
Privileges, See also **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS**, generally
  accountant-client, 37-50-402
  accounting review board members when, 37-50-403
  administrative proceedings, contested cases, 2-4-604
  attorney-client, 26-1-803, 41-3-204, 41-3-404, 41-5-402, 53-9-123, 53-9-124
  audiologist-client, 26-1-806
  child abuse and neglect records and proceedings not subject to, 41-3-201, 41-3-204, 41-3-404, 46-16-212
  chiropractic legal panel proceedings and decision, 27-12-703
  chiropractic physician-patient, 27-12-302, 27-12-306, 27-12-703
  claim of privilege, no opportunity, Title 26, chapter 10, M.R.Ev., Rule 504
  clergy, confessions to, 26-1-804
  comment improper, Title 26, chapter 10, M.R.Ev., Rule 505
  compulsion, disclosure under, Title 26, chapter 10, M.R.Ev., Rule 504
  counselor-client, 37-23-301
  crime victims reparation proceedings, effect, 53-9-123, 53-9-124
  dentist-patient, 26-1-805, 27-6-302, 27-6-306, 41-1-403
  developmentally disabled persons — abuse, neglect, or exploitation reports excluded, 52-3-821
  discovery, exempt from, 46-15-332; Title 25, chapter 20, M.R.Civ.P., Rule 26(b); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 13A
  domestic abuse, privileges suspended, 46-16-212
  drug research subjects, identity, 50-32-106
  effect, 26-1-801
  elder abuse, neglect, or exploitation reports excluded from, 52-3-821
  energy supply information, 90-4-305
  exclusions, Title 26, chapter 10, M.R.Ev., Rule 501
  family law mediation, mediator, 26-1-811
  health care information, production by compulsory process or discovery not waiver of privilege, 50-16-536
  health maintenance organizations, 33-31-113
  hearsay testimony, effect, Title 26, chapter 10, M.R.Ev., Rule 804
  hospital medical staff committee records, 50-16-203 — 50-16-205
  infant mortality and morbidity information, 50-16-102

EVIDENCE (Continued)
Privileges (Continued)

- informants, Title 26, chapter 10, M.R.Ev., Rule 502
- interpreters for deaf persons, 49-4-511
- investigative subpoenas, 46-4-302, 46-4-305
- judicial standards commission proceedings, 3-1-1105, 3-1-1122; Const., VII, 11
- malpractice panel proceedings and decision, 27-6-704, 27-12-703
- media
  - citation of media confidentiality act, 26-1-901
  - extent, 26-1-902
  - voluntary waiver or disclosure of source, 26-1-903
- mediator in family law mediation, 26-1-811
- medical legal panel proceedings and decision, 27-6-704
- medical professional review committees, proceedings and records, 37-2-201
- midwife-client, 37-27-310
- minors, 26-1-808, 26-1-809
  - child abuse and neglect proceedings, 41-3-201, 41-3-204, 41-3-404, 46-16-212
  - release of information, 41-1-403
- nurses, 26-1-809
- occupational disease reports, 50-70-107
- physician-patient, 26-1-805
  - child abuse and neglect records and proceedings not subject to, 41-3-201, 41-3-204, 41-3-404
  - criminal proceedings, mental disease or defect of defendant, 46-14-217
  - developmentally disabled persons — abuse, neglect, or exploitation reports excluded from privilege, 52-3-821
  - drug research subjects, identity, 50-32-106
  - elder abuse, neglect, or exploitation reports excluded from privilege, 52-3-821
  - hospital medical staff committees, 50-16-203 — 50-16-205
  - malpractice panel proceedings, 27-6-704
  - medical professional review committees, proceedings and records, 37-2-201
  - mentally ill persons, 53-21-141
  - minors, release of information concerning, 41-1-403
  - occupational disease reports, 50-70-107
  - professional corporation, privilege extends to, 35-4-405
  - sexually transmitted disease information, 50-18-109
  - violation of privilege as unprofessional conduct, 37-3-322
  - waiver, 27-6-302, 27-6-306; Title 25, chapter 20, M.R.Civ.P., Rule 35(b)
- policy of law, 26-1-801
- preliminary questions on, Title 26, chapter 10, M.R.Ev., Rule 104
- professional corporations, 35-4-405
- professional counselor-client, 37-23-301
- psychiatrist-client, 41-1-403
- psychologist-client, 26-1-807 — 26-1-809, 41-1-403, 53-21-141; Title 25, chapter 20, M.R.Civ.P., Rule 35(b)
- psychology teachers and observers, 26-1-808
- public health officers, 50-18-109
- public officers, 26-1-810; Title 26, chapter 10, M.R.Ev., Rule 502
- rules of evidence, applicability, Title 26, chapter 10, M.R.Ev., Rule 101
- sexually transmitted disease information, 50-18-109
- social worker-client, 37-22-401
- speech-language pathologist-client, 26-1-806
- spouses, 26-1-802
  - admissibility, 45-5-604, 46-16-212
  - child abuse proceedings not subject to, 41-3-204, 41-3-404, 46-16-212
- tax records, 15-30-303, 15-31-511
- teachers, 26-1-808, 26-1-809

EVIDENCE (Continued)
Privileges (Continued)

voluntary disclosure, Title 26, chapter 10, M.R.Ev., Rules 502, 503
waiver of privilege, Title 26, chapter 10, M.R.Ev., Rule 503
  child abuse and neglect reports, 41-3-201, 41-3-204, 41-3-404
  health care information, production by compulsory process or discovery not waiver, 50-16-536
youth court, 41-5-402
Probate, See **Estates and probate**; See also **Death**
Probation, interstate supervision — hearings, 46-23-1105
Process, authentication, Title 26, chapter 10, M.R.Ev., Rule 901
Professional corporations privileged, 35-4-405
Professional Engineers and Professional Land Surveyors, Board of — records of proceedings as prima facie evidence, 37-67-204
Professional land surveyor, entry on land — rebuttable presumption of protection against injury or property damage, 70-16-111
Property
  abandonment, presumption, 70-9-201 — 70-9-210
  boundaries, presumption, 70-16-202
  certificate of purchase from state or united states, 70-19-305
  conversion, presumption of value, 27-1-320
  conveyance, See **DEEDS AND CONVEYANCES**
  coordinate systems, adherence to federal specifications — publication of existing or new stations as, 70-22-206
  crime victims, return to, 46-24-206
  damage by tenant, burdens of proof, 70-25-204
  delivery, presumption created by, 26-1-602
  deposit, presumption when loss or injury, 70-6-203
  gift
    causa mortis, presumption, 70-3-202
    unsolicited goods, presumption as, 70-3-104
  grants, See **DEEDS AND CONVEYANCES**
  homestead, value of property, 70-32-104
  inventory of individual property by married persons as prima facie evidence when, 40-2-204
  lease, presumption of
    renewal, 70-26-204, 70-26-205
    term, 70-26-201
  monuments, location at corner presumed, 70-22-103
  ownership
    certificate of purchase from state or united states, 70-19-305
    insurance agreement as evidence, Title 26, chapter 10, M.R.Ev., Rule 411
    presumption, 26-1-602
  possession, presumption created by, 26-1-602, 70-19-404, 70-19-412
  quiet title actions by heirs of deceased entrymen, 70-28-202
  records, hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
  rental of personal property, false identification prima facie evidence of offense, 45-6-309
  title, presumption of value, 27-1-304
  unclaimed, presumption, 70-9-201 — 70-9-210
  unsolicited goods, presumption of gift, 70-3-104
Prostitution, promotion of, 45-5-604
Protection of witness, See **WITNESSES**
Psychiatrist-client privilege, 41-1-403, See also **Privileges**
Psychologists
  licensure qualifications, 37-17-302
  privilege, psychologist-client, 26-1-807 — 26-1-809, 41-1-403, 53-21-141, See also **Privileges**

EVIDENCE (Continued)

Public assistance
  aged assistance recovery, presumption of value transfers, 53-5-401
  fraud, income information released to determine, 53-2-211
  fraudulent conveyance to obtain, 53-2-601, 53-5-401
Publications
  authentication, Title 26, chapter 10, M.R.Ev., Rule 902
  hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 803
Public contractors
  license, 37-71-104
  residency, prima facie evidence, 18-1-106
Public health officers privileged, 50-18-109
Public nuisance, 45-8-112
Public officers or employees, See also **Official acts and writings**
  appointment, presumption of regularity, 26-1-602
  collective bargaining
    firefighters, arbitration, 39-34-103
    good faith, failure to negotiate in, 39-31-305
    production, 39-31-106
    representation questions, 39-31-207
    rules of evidence inapplicable, 39-31-207, 39-31-406
    unfair labor practices, 39-31-406, 39-31-409
  duty, presumption of regularity of performance, 26-1-602
  grievance proceedings, 2-18-1011 — 2-18-1013
  privileged communication to, 26-1-810; Title 26, chapter 10, M.R.Ev., Rule 502, See also **Privileges**
  signature, effect, Title 26, chapter 10, M.R.Ev., Rule 902
  unfair labor practices, 39-31-401, 39-31-406, 39-31-409
Public records, See also **Official acts and writings; Writings and recordings**
  authentication, Title 25, chapter 20, M.R.Civ.P., Rules 44(a), 44(c); Title 26, chapter 10, M.R.Ev., Rules 901, 902, 1005
    acts of congress relating to, Refer to Annotations to Montana Code Annotated, Vol. 1, Federal materials
  contents, evidence, Title 26, chapter 10, M.R.Ev., Rule 1005
  copies, admissibility, 2-6-102, 2-6-111; Title 26, chapter 10, M.R.Ev., Rules 902, 1005
  hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 803
  lack of record, Title 25, chapter 20, M.R.Civ.P., Rules 44(b), 44(c); Title 26, chapter 10, M.R.Ev., Rule 803
  removal from office when admissible, 2-6-105
  withdrawal at conclusion of hearing, Title 25, chapter 19, M.U.Dist.Crt.Rule 12
  written statement concerning lack of record, Title 25, chapter 20, M.R.Civ.P., Rule 44(b)
Public Service Commission
  hearings, 69-2-102, 69-2-201, 69-3-326, 69-3-329
  orders
    challenge, action to — burden of proof upon party attacking or resisting, 69-3-402
    judicial review, 69-3-404
Public weighers' records, prima facie evidence of facts therein, 7-21-3106
Publisher's affidavit, 26-1-1011, 26-1-1012
Questioning of witness, See **Cross-examination of witness; Examination of witness**
Questions of fact or law, See **Issues**
Railroads
  crossings, overhead or underground — hearings for, 69-14-607
  enforcement of rates, rules, or orders — burden of proof on defendant, 69-14-134
  fire hazards along right-of-way, failure to control — prima facie evidence of negligence, 69-14-721

EVIDENCE (Continued)

Railroads (Continued)

- highway crossings
  - expenditures, hearing on prioritization, 60-2-121
  - orders, prima facie evidence of reasonableness, 69-14-608
- investigations, 69-14-112, 69-14-113
- livestock, killing or injury as prima facie evidence of negligence, 69-14-707
- nonpayment of fee, statements not filed, or lack of information — prima facie evidence of, 69-2-205
- rates, charges, and classification
  - cases, 69-2-102
  - changes or revisions, 69-14-311, 69-14-312
  - prima facie evidence of reasonableness, 69-14-402

Real estate appraisers
- appraisal report, testimony as, 37-54-102
- certification renewal, education requirements, 37-54-310
- license renewal, education requirements, 37-54-210
- professional qualifications, testimony pertaining to, 37-54-402
- standards of professional appraisal practice, uniform — as, 37-54-403
- temporary permit, applicant's licensing in domicile state, 37-54-406

Real estate
- brokers and salesmen, license applicants — of education and examination, 37-51-302
- recovery account, hearings on application for payment from, 37-51-506

Realty Regulation, Board of
- power, 37-53-501, 76-4-1207, 76-4-1210
- records, 37-51-201

Reasonable doubt, 26-1-403, 46-16-606, 46-16-607

Rebuttable presumptions, See **Presumptions**

Rebuttal, 25-7-301, 30-14-904, 39-71-117, 39-71-118, 46-16-401

Recall of witness, Title 26, chapter 10, M.R.Ev., Rule 611, See also **Examination of witness**

Recall petition signatures, certification as, 2-16-620

Recitals in statutes, 26-1-604

Recollection, See **Memory**

Recordings, See **Writings and recordings**

Records, official, See **Official acts and writings; Public records**

Reexamination of witness, Title 26, chapter 10, M.R.Ev., Rule 611, See also **Examination of witness**

Refusal to testify or produce evidence
- contempt, as, See **CONTEMPT**, **Acts or omissions which constitute**, witnesses
- informants, See **Privileges**
- privilege when, Title 26, chapter 10, M.R.Ev., Rule 501, See **Privileges**

Relevance, Title 26, chapter 10, M.R.Ev., Rule 401, See also **Admissibility**; specific subject area
- admissibility, Title 26, chapter 10, M.R.Ev., Rule 402
- applicability of laws, Title 26, chapter 10, M.R.Ev., Rule 402
- character evidence, See **Character evidence**
- exclusion, grounds, Title 26, chapter 10, M.R.Ev., Rule 403, See also **Excluded evidence**
- habit, Title 26, chapter 10, M.R.Ev., Rule 406
- remedial measures, subsequent, Title 26, chapter 10, M.R.Ev., Rule 407
- routine practice, Title 26, chapter 10, M.R.Ev., Rule 406

Religious beliefs of witness, Title 26, chapter 10, M.R.Ev., Rule 610

Religious organization's records, hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803

Rendering or disposal plants, hearings concerning violations, 81-9-303, 81-9-305

Rental of personal property, false identification prima facie evidence of offense, 45-6-309

Reporters' Confidence Act, Title 26, chapter 1, part 9

EVIDENCE (Continued)

Reputation evidence
  boundaries, Title 26, chapter 10, M.R.Ev., Rule 803
  character, on, Title 26, chapter 10, M.R.Ev., Rules 405, 608, 803
  family history, Title 26, chapter 10, M.R.Ev., Rule 803
  history, Title 26, chapter 10, M.R.Ev., Rule 803
  ownership presumed, 26-1-602
Res gestae, 26-1-103; Title 26, chapter 10, M.R.Ev., Rules 801, 803
Res judicata, 46-9-512; Title 25, chapter 20, M.R.Civ.P., Rule 8(c); Title 26, chapter 3
Revenue Oversight Committee, rulemaking hearings, 5-18-107
Rivers and streams, construction project disagreements — arbitration committee authority, 87-5-505
Road improvement district formation, hearings, 7-14-2902
Routine practice, Title 26, chapter 10, M.R.Ev., Rule 406, See also **Business**
Rules of Evidence, Const., VII, 2; Title 26, chapter 10
  applicability, Title 26, chapter 10, M.R.Ev., Rule 101
    administrative proceedings, contested cases, 2-4-612, 37-13-314
    commitment proceedings, 53-21-115
    criminal proceedings, 46-16-201
    dairy products, official test procedures, 81-22-101
    depositions, use, 46-15-204
    eminent domain, 70-30-201
    exclusions, Title 26, chapter 10, M.R.Ev., Rules 101, 104
      acupuncturists' licenses — denial, suspension, or revocation, 37-13-314
      collective bargaining, 39-31-207, 39-31-406
      state tax appeal board, 15-2-301
    facility siting certification proceedings, 75-20-222
    ground water, hearings on designation or modification of controlled ground water areas, 85-2-507
    health care information, disclosure not waiver
      patient authorization, patient's rights, 50-16-526
      production by compulsory process or discovery, privilege, 50-16-536
    insurance hearings, 33-1-704
    interpreters, Title 26, chapter 10, M.R.Ev., Rule 604
    interrogatories, Title 25, chapter 20, M.R.Civ.P., Rule 33(b)
    judge pro tempore, proceedings before, 3-5-113
    jury, judgments on evidence, 26-1-303
    labor and industry, department of — hearings, nonapplicability, 39-71-318
    megalandfill siting certification proceedings, 75-10-928
    mentally ill persons, commitment, 53-21-115
    other crimes, wrongs, or acts — notice, 46-13-109
    persistent felony offender status, notice, 46-13-108
    police commission hearings and decisions, 7-32-4155
    unemployment insurance contributions, hearings on appeal — nonapplicability, 39-51-1109
    videotaped testimony, 46-15-402, 46-16-216
    workers' compensation judge, 39-71-2903
  citation, Title 26, chapter 10, M.R.Ev., Rule 100
  construction, Title 26, chapter 10, M.R.Ev., Rule 102
    question of law, 26-1-201
  ex parte matters, Title 26, chapter 10, M.R.Ev., Rule 101
  health maintenance organization hearings, 33-31-404
  jury, instruction that deliberations be in subordination to, 26-1-303
  Montana code annotated, effect on adoption of rules, 1-11-103
  purpose, Title 26, chapter 10, M.R.Ev., Rule 102
  scope, Title 26, chapter 10, M.R.Ev., Rule 101

EVIDENCE (Continued)
Rules of Evidence (Continued)

- workers' compensation hearings, nonapplicability, 39-71-318

Rulings on evidence
- administrative hearings, 2-4-614
- error, Title 25, chapter 20, M.R.Civ.P., Rule 61; Title 26, chapter 10, M.R.Ev., Rule 103
- objections, Title 26, chapter 10, M.R.Ev., Rule 103
- offer of proof, Title 26, chapter 10, M.R.Ev., Rule 103

Sales
- conformance, 30-2-515
- contract for sale, enforceability, 30-2-201
- extrinsic, 30-2-202, 30-2-316, 30-2-326
- goods in dispute, 30-2-515
- inspection, place and method presumed exclusive, 30-2-513
- market price, 30-2-723
  - quotations, 30-2-724
- oral, 30-2-202, 30-2-316, 30-2-326
- or return terms, 30-2-326
- parol, 30-2-202, 30-2-316, 30-2-326
- personal solicitation, presumption of time for redelivery of goods, 30-14-507
- preservation, 30-2-515
- unconscionability, 30-2-302
- usage of trade, 30-1-205, 30-2-202
- warranties, 30-2-316

Sales finance companies, production by, 31-1-211
Sanity, See **Mental** entries
Schools
- districts
  - administrative rules, financial impact, 20-2-115
  - elementary, boundary review hearings, 20-6-215
- property, sale or disposal — hearing on petition for appeal of resolution for, 20-6-604
- school bus, passing — registered owner of vehicle prima facie responsible for violation, 61-8-351
- site and facility architectural service proposals, meeting to consider, 20-6-634

Science and technology financing, debenture or note as evidence of debt, 90-3-102
Scientific journals and treatises, hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
Seals, authentication by, Title 26, chapter 10, M.R.Ev., Rule 902
Search and seizure
- admissibility, 46-5-103
- custody of evidence, 46-5-311
- exclusionary rule, 46-13-302
- possession, right to, 46-5-312
- protection of evidence by, 46-4-111, 46-5-102, 46-5-223, 46-5-224, 46-5-228
- receipt for evidence seized, 46-5-227, 46-5-311
- suppression when unlawfully seized, 46-13-110, 46-13-302
- unclaimed evidence, disposition, 46-5-305 — 46-5-309
- unlawful seizures, 46-13-302
- warrant
  - application, 46-5-221, 46-5-222
  - county coroner, authority, 46-4-111
  - description in, 46-1-202, 46-5-221
  - telephonic application and issuance, 46-5-222

Securities
- additional, 30-10-308
- certification of documents, 30-10-107
- contract for sale, enforceability, 30-8-319
- exemptions, 30-10-106

EVIDENCE (Continued)
Securities (Continued)

- fiduciary, appointment, 30-10-405
- investigation, 30-10-304, 30-10-306
- signature, 30-8-105
- violations, 30-10-305

Self-incrimination, 46-15-331; Const., II, 25, See **WITNESSES**
Sentencing, revocation hearing, 46-18-203
Serial number, possession as presumption of knowledge of obscuring, 45-6-326
Service of process
- affidavit of inquiry for personal service, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- return, 25-3-302

Sexually transmitted disease information privileged, 50-18-109
Sexual offenses
- intercourse without consent, 45-5-511
  - medical evidence, payment for, 46-15-411
- videotaped testimony, 46-16-216

Shield Law, Title 26, chapter 1, part 9
Shoplifting, prima facie evidence of concealment, 46-6-506
Signature, 1-1-203; Title 26, chapter 10, M.R.Ev., Rule 902
Small business loan participation to create jobs, qualification for job credit interest rate reduction, 17-6-318
Small claims court, district court, 25-34-303
Small claims court, justice's court, 25-35-702
Smoke detectors, dwellings — failure to or noncompliance in complying with notice requirement upon sale of dwelling, inadmissibility, 70-20-113
Snowmobiles
- certificates of ownership, 23-2-601
  - presumption of joint ownership with right of survivorship, 23-2-612
- certificate of registration, 23-2-601
- registration application, evidence of payment of fee in lieu of tax, 23-2-616
- security interest, perfection, 23-2-611

Social worker-client privilege, 37-22-401, See also **Privileges**
Sound recordings, presumption from possession of copies without consent of owner, 30-13-143
Speech-language pathologist-client privilege, 26-1-806, See also **Privileges**
Speech-Language Pathologists and Audiologists, Board of — prima facie evidence of validity of documents, 37-15-202
Spouses, See **Married persons; Privileges**
Stalking, offense of — credible evidence, 45-5-220
Standard of proof, 26-1-403, 46-16-606
State lands
- grazing districts, rental charges, 76-16-307
- patents, copies as, 77-2-344

State of mind, malice or maliciously established by presumption, 1-1-204
State Tax Appeal Board
- appeal of decision, additional evidence, 15-2-303
- interlocutory adjudication of decisions, petition raising admissibility, 15-2-304, 15-2-305
- rules of evidence inapplicable, 15-2-301
- seal, judicial notice, 15-2-106

Statutes, See **Laws**
Statutes of fraud, See **STATUTES OF FRAUD**
Subdivisions
- corner identification or monument or corner deterioration, 76-3-405
- plats or copies, as, 76-3-304
- sanitation rules, for, 76-4-104

EVIDENCE (Continued)

- **Subpoenas**, See also **SUBPOENAS**
  - documentary evidence, of, Title 25, chapter 20, M.R.Civ.P., Rules 45(a), 45(b)
  - witnesses, of, See **SUBPOENAS**
- **Subscribing witness**, 1-1-203, See also **INSTRUMENTS, Proof of execution**
  - testimony unnecessary, Title 26, chapter 10, M.R.Ev., Rule 903
- **Subsequent remedial measures**, Title 26, chapter 10, M.R.Ev., Rule 407
- **Sufficiency**, See **Weight and sufficiency of evidence**
- **Suggestive questions**, See **Cross-examination of witness**, leading questions; **Examination of witness**, leading questions
- **Suicide notes**, 7-4-2917
- **Superintendent of public instruction**, controversy appeal hearings, 20-3-107
- **Support order**, prima facie evidence of person's legal obligation to pay and payment records of amount paid and arrearages, 45-5-621
- **Suppression**
  - appeal
    - by state, 46-20-103; Title 25, chapter 21, M.R.App.P., Rule 1
    - errors noted on, 46-20-104, 46-20-701
  - confessions, 46-13-110, 46-13-301
  - crime victims reparation proceedings, 53-9-124
  - exclusionary rule, 46-13-301, 46-13-302
  - obstructing justice by, 45-7-303
  - preliminary examination, motion not proper, 46-10-202
  - presumption created by, 26-1-602
  - pretrial proceedings and records, closure and sealing, 46-11-701
  - seizure, unlawful — obtained by, 46-13-110, 46-13-302
- **Supreme court**, original proceedings in, Title 25, chapter 21, M.R.App.P., Rule 17
- **Surprise exclamation**, 26-1-103; Title 26, chapter 10, M.R.Ev., Rule 803
- **System**, authentication, Title 26, chapter 10, M.R.Ev., Rule 901
- **Tampering with**, 45-7-206, 45-7-207
- **Taxation**
  - appraisal, hearings, 15-7-102
  - assessment, 15-1-303, 15-8-709, 15-8-710, 15-16-504, 15-18-213
    - reduction, hearings, 15-15-103
  - classification of property, hearings, 15-7-102
  - coal, market value, 15-35-107
  - corporation taxes
    - deficiency, 15-31-503
    - delinquency, 15-31-541
    - payment, 35-1-944, 35-1-1037
    - records, examination, 15-31-504, 15-31-505
    - returns
      - confidentiality, 15-31-511
      - failure to file, 15-31-541
    - reviver, 15-31-524
    - suspension, forfeiture, or dissolution for delinquency, 15-31-523
  - delinquency, 15-8-710, 15-16-504, 15-18-213, 15-30-321
  - drugs, dangerous — tax on possession and storage, burden of proof of exemption, 15-25-112
  - estate tax, value of in-kind payment, 72-16-449
  - gasoline and vehicle fuels taxes
    - mailings, 15-70-103
    - special fuel license tax, cardtrol or keylock purchases, 15-70-362
    - special fuel use tax
      - cardtrol or keylock purchases, 15-70-223
      - deliveries of fuel, 15-70-324
  - hogs, weight, 15-24-931

EVIDENCE (Continued)
Taxation (Continued)

- income tax
  - delinquency, 15-30-321
  - prima facie evidence for order to show cause and of failure to file return or report, 15-30-316
  - records confidential, 15-30-303
  - returns, revision — examination of records and persons, 15-30-145
- inheritance tax
  - apportionment of tax, presumption of accuracy of court's determination, 72-16-611, 72-16-612
  - appraisal, market value, 72-16-412
  - in-kind payment, value, 72-16-449
  - insurance, commissioner of — presumption of accuracy of valuation, 72-16-417
- investigations, 15-1-301
- levy, 15-18-213
- metal mines
  - imputed value, 15-23-805
  - license tax hearings, 15-37-109
- 9-1-1 emergency telephone exchange access service fees, payment, 10-4-201
- nursing facility utilization fee
  - deficiency assessment hearings, 15-60-206
  - estimates of bed day use and correctness of reports, 15-60-205
- railroads, description of property, 15-23-201
- records privileged, 15-30-303, 15-31-511
- refunds, denial — judicial review, 15-16-604
- state tax appeal board, See **State Tax Appeal Board**
- tax deeds, 15-18-213
  - notice, proof of — prima facie evidence of sufficiency, 15-18-212
  - right of possession accrued upon tax sale, as prima facie evidence, 15-18-214, 15-18-413
- tax sales
  - certificates, of loss or destruction, 15-17-318
  - notice, affidavit, 15-17-123, 15-18-213

Teachers
- employment relationship, termination or nonrenewal, 20-4-110, 20-4-112
- nontenure, termination hearings, 20-4-206
- privilege, 26-1-808, 26-1-809, See also **Privileges**

Teachers' Retirement Board — production of books, papers, and correspondence, 19-20-901

Telecommunications services
- handicapped persons, for — evidence of handicap, 53-19-307
- prima facie evidence — nonpayment of fee, statements not filed, or lack of information, 69-2-205

Telephone
- conversations, authentication, Title 26, chapter 10, M.R.Ev., Rule 901
- search warrant, application and issuance by, 46-5-222

Testimony, See also **Examination of witness**
- admissibility, See **Admissibility**
- authentication, See **Authentication or identification**
- credibility of witness, See **Credibility of witness**
- cross-examination, See **Cross-examination of witness**
- defined as evidence, 26-1-101
- effect, See **Weight and sufficiency of evidence**
- expert, See **Expert testimony**
- hearsay, See **Hearsay**

EVIDENCE (Continued)
Testimony (Continued)

- immunity of witness, See **WITNESSES**
- opinion, See **Opinion testimony**
- party not bound, Title 26, chapter 10, M.R.Ev., Rule 607
- perjury, 45-7-201
- perpetuation
  - action for, Title 25, chapter 20, M.R.Civ.P., Rule 27(c)
  - deposition, by, See **DEPOSITIONS**
- presence in court, requirement to testify, 26-2-303
- privileges, See **Privileges**
- relevance, See **Relevance**
- "testify" defined, 1-1-202
- transcript of, See **CIVIL PROCEDURE; CRIMINAL PROCEDURE**
- weight, See **Weight and sufficiency of evidence**

Theft
- motor vehicle, 61-3-106
- photographs of items allegedly taken or converted, admissibility, 26-1-608

Third parties
- documents, 30-1-202
- obligation, evidence, 26-1-104

Threat, 45-2-101

Timeshare sales
- investigations, 37-53-501
- violations, of, 37-53-506

Title insurance, failure to disclose controlled business relationship — proof of violation, 33-25-401

Torts, voluntary payment of claim, See **Voluntary payment of claim**

Trademarks and service marks
- certificate of registration, 30-13-312
- self-authentication, Title 26, chapter 10, M.R.Ev., Rule 902

Transactional rule, 26-1-103

Transcript of testimony, Title 25, chapter 20, M.R.Civ.P., Rule 80

Transportation, Department of
- authority, 67-2-502
- order creating presumption of necessity of proposed highways or improvements, 60-4-104
- personnel, grievance proceedings, 2-18-1002, 2-18-1003

Transportation districts, urban — creation, hearing, 7-14-209

Trust indentures, 71-1-318

Trusts
- advantage from beneficiary, trustee obtaining — presumption of violation of fiduciary duties, 72-34-105
- fertility, beneficiary — rebuttable presumption, 72-33-409
- institutional funds, historic dollar value, 72-30-202
- revocability, presumption, 72-33-401
- validity, 72-33-208

Truthfulness of witness, See **Credibility of witness**

Unanswerable evidence, See **Conclusive evidence**

Unclaimed property, presumption, 70-9-201 — 70-9-210

Underground storage tanks, installation or closure presenting imminent hazard, 75-11-220

Unemployment insurance
- alien status, 39-51-2110
- benefits, appeals, 39-51-2407, 39-51-2408, 39-51-2410
- income information released when, 53-2-211
- investigations or proceedings, 39-51-301
- reciprocal collection, authority of state, 39-51-1306
- self-incrimination, protection against, 39-51-3101

EVIDENCE (Continued)

Unfair trade practices
  access by department of commerce, 30-14-114, 30-14-221
  cost of doing business, presumption, 30-14-211
  cost survey, 30-14-210
  documentary material, examination of, 30-14-102
  introduction by reference, 30-14-222
  investigative demand, 30-14-113
  motor fuel marketing, below-cost sale violations, 30-14-806
  private action, 30-14-133
  written findings, 30-14-220
Uniform Commercial Code
  burden of establishing, 30-1-201
  investment securities, signature, 30-8-105
  letters of credit, notation credit, 30-5-108
  negotiable instruments, See **Negotiable instruments**
  sales, See **Sales**
  third-party documents, 30-1-202
  usage of trade, 30-1-205
Uniform Judicial Notice of Foreign Law Act, Title 26, chapter 10, M.R.Ev., Rule 202
Uniform Rules of Evidence, Title 26, chapter 10, See **Rules of Evidence**
Unions
  firefighters, arbitration, 39-34-103
  public employees, See **Public officers or employees**, collective bargaining
University system students
  domiciliary intent, 20-25-504
  presumption as to domicile and change in status, 20-25-503, 20-25-504
  rooms, emergency entry — evidence obtained during, 20-25-513
Unsolicited goods, presumption they are gift, 70-3-104
Urban renewal
  agency commissioners, of appointment, 7-15-4234
  bond issuance, presumption of regularity, 7-15-4304
  condemnation proceedings, 7-15-4259
  property, transfer of title to — presumption of regularity, 7-15-4265
Usage of trade, See **Business**
Utilities
  classifications, effective date, 69-3-110
  lines, overhead — relocation hearings, 69-4-403
  nonpayment of fee, statements not filed, or lack of information — prima facie evidence of, 69-2-205
  rate cases, 69-2-102
  rates, tolls, and charges — effective date, 69-3-110
Utilities, rural cooperative — additional fee to department of revenue, protest, 35-18-506
Veterans, employment preference, 39-29-104
Veterinarians
  continuing education requirements, of, 37-18-307
  licensure, qualifications, 37-18-302, 37-18-305, 37-18-307
  practice of veterinary medicine, prima facie evidence of, 37-18-102, 37-18-307
Videotaped testimony, 46-15-402, 46-15-403, 46-16-216
Views of premises, 25-7-401, 46-16-502
Vital statistics
  certificates, prima facie evidence, 50-15-109
  hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
Voice identification, Title 26, chapter 10, M.R.Ev., Rule 901
Voluntary acts, presumption of intent of consequences, 26-1-602

EVIDENCE (Continued)

Voluntary payment of claim
  admission, payment is not, 26-1-703, 27-1-210
  damages, effect, 26-1-703
  inadmissibility, 26-1-704; Title 26, chapter 10, M.R.Ev., Rule 409
  interest on damages, payment not admission, 27-1-210
  judgment, effect on, 26-1-706
  legislative intent, 26-1-701
  overpayment, action to recover barred, 26-1-706
  partial payment, 26-1-703
  "person" defined, 26-1-702
  settlement, effect on, 26-1-705
  waiver or release of claim, payment is not, 26-1-703
Volunteer firefighters' pension benefits, certificate of eligibility as proof of service, 19-17-403
Wage claims
  hearings, 39-3-216, 39-3-217
  production, 39-3-210
Wastewater treatment works revolving loan program loans, 75-5-1113
Water
  adjudication of rights, 85-2-216
    abandonment of claim, 85-2-102, 85-2-212, 85-2-226
    certificate of water rights, 85-2-232
    claim, 85-2-227
    late claims, evidence of mailing, 85-2-221
    objections to decrees allowed when, 85-2-233, 85-2-237
  administrative proceedings, 85-2-121
  appropriation
    change in right, 85-2-402
      temporary, renewal — adverse effects, 85-2-407
    lease modification or revocation, water right adversely affected, 85-2-436
    permits, criteria for issuance, 85-2-311, 85-2-337
  commissioners
    annual repair and maintenance, notice, 85-5-302
    emergency expenses, presumption of necessity, 85-5-203
    expenses, notice, 85-5-204
  ground water, hearings on controlled ground water areas, 85-2-507
  out-of-state use, criteria for, 85-2-316, 85-2-402
  reservation of water for out-of-state use, criteria for, 85-2-316
  treatment plant operators, for certification without examination, 37-42-305
  watercourse, presumption that depression is, 76-5-104
Water well contractor, driller, and monitoring well constructor complaints — disciplinary action, 37-43-310
Weather modification permits, criteria for issuance, 85-3-206
Weighers, public — records, prima facie evidence of facts therein, 7-21-3106
Weight and sufficiency of evidence
  appeal, when insufficiency to be urged, Title 25, chapter 21, M.R.App.P., Rule 9
  burdens of proof, See **Burdens of proof**
  dismissal for insufficiency, 46-16-403
  findings of fact, question of sufficiency when tried by court, Title 25, chapter 20, M.R.Civ.P., Rules 52(b), 52(d)
  jury to judge, 26-1-203, 26-1-303, 26-1-403
  new trial when insufficient, 25-11-102
  number of witnesses not to affect jury decision, 26-1-303
  preliminary evidence, Title 26, chapter 10, M.R.Ev., Rule 104

EVIDENCE (Continued)
Weight and sufficiency of evidence (Continued)

- presumptions, when inconsistent, Title 26, chapter 10, M.R.Ev., Rule 301, See also **Presumptions**
- "proof" defined, 26-1-101
- relevance, exclusion of relevant evidence, Title 26, chapter 10, M.R.Ev., Rule 403
- who to judge, 26-1-203
- witnesses, number necessary to prove a fact, 26-1-301
  - false swearing, 45-7-202
  - perjury, 26-1-301, 45-7-201
  - treason, 26-1-301, 46-16-202; Const., II, 30

Weights, measures, and grades
- existence of device, presumption, 30-12-506
- offenses, 30-12-210, 30-12-506

Wills, See **Estates and probate**
Witnesses, See **WITNESSES**
Workers' compensation
- alien beneficiary, identity, 39-71-724
- certification of department, 39-71-301
- disclosure of records, burden of proof, 39-71-224
- employer, presumption and rebuttal, 39-71-117, 39-71-118
- foreign law, 39-71-402
- hearings before department, nonapplicability of rules of evidence, 39-71-318
- income information released when, 53-2-211
- mediation proceedings, 39-71-2401, 39-71-2406, 39-71-2411
- mediator's report, nonadmissibility, 39-71-2410
- occupational disease, See **Occupational disease reports**
- physical examination of claimant, 39-71-605
- plan no. 1, direct payment by employer — solvency and financial ability to pay liabilities, 39-71-2106
- refusal to produce records, 39-71-304
- subsequent injury benefits disputes, 39-71-910
- uninsured employers, prima facie liability, 39-71-515
- workers' compensation judge, inapplicability of rules of evidence, 39-71-2903

Writings and recordings
- accuracy, presumption, 26-1-601
- administrative hearings, 2-4-612
- admission, proof by, Title 26, chapter 10, M.R.Ev., Rule 1007
- affidavits, See **Affidavits as evidence**
- alterations, 26-1-106
- ancient documents
  - authentication, Title 26, chapter 10, M.R.Ev., Rule 901
  - hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 803
- authentication, See **Authentication or identification**
- books, See **Books**
- child abuse and neglect, 41-3-202, 41-3-204
- collateral evidence, original unnecessary, Title 26, chapter 10, M.R.Ev., Rule 1004
- consideration, presumption, 26-1-602, 28-2-804
- construction
  - issue of law, 26-1-201
  - peculiar, evidence on, 1-4-107
- contracts, 28-2-903
- copies, Title 26, chapter 10, M.R.Ev., Rule 1001
  - administrative hearings, 2-4-612
  - admissibility, Title 26, chapter 10, M.R.Ev., Rule 1003
  - criminal proceedings, discovery, 46-1-202
  - public records, 2-6-102, 2-6-111; Title 26, chapter 10, M.R.Ev., Rule 1005

EVIDENCE (Continued)
Writings and recordings (Continued)

  court, determination on admissibility, Title 26, chapter 10, M.R.Ev., Rule 1008
  court reporter's transcript, 3-5-612
  credit of third persons, 28-2-903
  date, presumption of correctness, 26-1-602
  decedent, of, 26-1-607
  definitions, 1-1-203, 26-1-101; Title 26, chapter 10, M.R.Ev., Rule 1001
  deposition, proof by, Title 26, chapter 10, M.R.Ev., Rule 1007
  duplicate, Title 26, chapter 10, M.R.Ev., Rules 1001, 1003
  existence of document, burden of proof when denied, 26-1-402
  foreign documents, authentication, Title 26, chapter 10, M.R.Ev., Rule 902
    nonexpert opinion, Title 26, chapter 10, M.R.Ev., Rule 901
  handwriting
    criminal proceedings, specimen of defendant's handwriting, 46-15-323
    nonexpert opinion, Title 26, chapter 10, M.R.Ev., Rule 901
  hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 801, 803
  issue of law, province of court, 25-7-102
  masters, authority, Title 25, chapter 20, M.R.Civ.P., Rule 53(c)
  memory, to aid, Title 26, chapter 10, M.R.Ev., Rules 612, 803
  museums, records of contracts with lenders of property, 22-3-521
  official, See **Official acts and writings**
  original, Title 26, chapter 10, M.R.Ev., Rules 1001, 1002, 1004, 1007
  partial introduction, Title 26, chapter 10, M.R.Ev., Rule 106
  prior statements, Title 26, chapter 10, M.R.Ev., Rule 613
  proof, Title 26, chapter 10, M.R.Ev., Rule 1007, See also **Authentication or identification**
  public printing, presumption, 26-1-602
  public records, See **Public records**
  refusal to produce, no privilege, Title 26, chapter 10, M.R.Ev., Rule 501, See **Privileges**
  signature, 1-1-203; Title 26, chapter 10, M.R.Ev., Rule 902
  summaries, Title 26, chapter 10, M.R.Ev., Rule 1006
  terms, presumption of use, 1-4-107
  testimony, proof by, Title 26, chapter 10, M.R.Ev., Rule 1007
  theft, photographs of items allegedly taken or converted — description, 26-1-608
  truth of facts recited, presumption, 26-1-601
  unfair trade practices, findings, 30-14-220
  value, presumption, 27-1-304
  wrongful conversion, presumption of value, 27-1-320
Wrongful discharge from employment, fraud by employer, 39-2-905
Youth court, See YOUTH COURT
Zoning
  commission, authority, 76-2-220
  county board of adjustment appeal hearings, for, 76-2-227
  municipal board of adjustment appeal hearings, for, 76-2-327

EXAMINERS, BOARD OF
Administration, Department of — agreement with, 17-5-411, 17-5-413
Allocation, 2-15-1007
Bonds and bond issues, duties
  CERCLA, 75-10-623, 75-10-625, 75-10-626
  coal severance tax, Title 17, chapter 5, part 7
  employment security building, Title 17, chapter 5, part 6
  highway general obligation, Title 17, chapter 5, part 5
  highway revenue, Title 17, chapter 5, part 9
  long-range building program, 20-25-432, 20-25-433; Title 17, chapter 5, part 4
  Montana college of mineral science and technology physical education facility, 17-5-421

EXAMINERS, BOARD OF (Continued)
Bonds and bond issues, duties (Continued)

  refunding, 17-5-721; Title 17, chapter 5, part 3
  renewable resource, 85-1-603, 85-1-617, 85-1-620
  state building energy conservation program, 90-4-611, 90-4-612
  state general obligation, Title 17, chapter 5, part 8
  validation, Title 17, chapter 5, part 2
  volume cap, Title 17, chapter 5, part 13
  wastewater treatment works revolving loan program, 75-5-1121
  water development revenue bonds, 17-5-721
  western Montana college of the university of Montana swimming pool addition, 17-5-423
Buildings, construction
  architects or consulting engineers, appointment approval, 18-3-102
  duties generally, 18-2-105
Composition, 2-15-201, 2-15-401, 2-15-501, 2-15-1007
Fish, Wildlife, and Parks — Department of, agreements with, 17-5-416, 17-5-417, 17-5-424, 17-5-426
Interest rate, nonapplicability, 17-5-101
Labor and Industry, Department of — agreement with, 17-5-412, 17-5-413, 17-5-431, 17-5-433
Meetings, 2-15-1007
Notes, tax and revenue anticipation — issuance, 17-1-201, 17-1-203
Officers, 2-15-1007
Regents of Higher Education, Board of — bond requests or agreements, 17-5-425, 17-5-426, 20-25-432, 20-25-433
Social and Rehabilitation Services, Department of — agreement with, 17-5-432, 17-5-433
Warrants, state — payment prohibited when, 17-8-307
Wastewater treatment works revolving loan program, duties, 75-5-1106, 75-5-1121

EXCLUSIONARY RULE, 46-13-301, 46-13-302

EX-CONVICTS OR FELONS
  See **OFFENDERS, FORMER**

EXECUTION
  See also **ATTACHMENT OF PROPERTY; CRIMINAL PROCEDURE, Judgment; DEATH PENALTY; JUDGMENTS AND DECREES**, generally
Affidavits
  availability of property, proof, 25-14-102, 25-14-103
  secured party, by, 25-13-506
  redemption, 25-13-804, 25-13-807
Agricultural land, foreclosed — disposal, 25-13-901 — 25-13-904
Appeals, for costs, 25-10-503
Applicability of laws
  attachment, 25-13-501, 25-13-503, 25-13-504, 27-18-102, 27-18-801, 27-18-802
  bail forfeitures, 46-9-511
  bankruptcy, 31-2-106
  claim and delivery, 27-17-404
  criminal fines, 46-19-102
  deposition law, Title 25, chapter 20, M.R.Civ.P., Rule 69
  fines, 46-19-102
  money, order to pay as judgment, 25-13-204
  partition sales, 70-29-301
  public officers, garnishment, 25-13-504
  rules of civil procedure, Title 25, chapter 20, M.R.Civ.P., Rule 69
  sale of real property under court order, 70-21-206
  tax delinquencies, 15-1-701, 15-1-706, 15-1-707, 15-16-113, 15-16-401, 72-16-432
Assigned counsel, upon nonpayment of costs by defendant, 46-8-115

EXECUTION (Continued)

Attachment
  applicability of laws, 25-13-501, 25-13-503, 25-13-504, 27-18-102, 27-18-801, 27-18-802
  priority, 27-18-903
  property under, subject to execution, 25-13-501, 27-18-903
  public officers, garnishment as, 25-13-504
  satisfaction of judgment by, 27-18-903, 27-18-905, 27-18-906
  third party claims, proceedings, 25-13-503
Availability of property, determination
  affidavits for proof, 25-14-102, 25-14-103
  answer of judgment debtor concerning property, 25-14-101, 25-14-102, 25-14-304, 25-14-305
  arrest of judgment debtor, 25-14-102
  contempt, 25-14-108
  debts owed to judgment debtor, 25-14-103, 25-14-104
  holders of judgment debtor's property, 25-14-103, 25-14-104
  order to apply property, 25-14-107, 25-14-108
  receiver, appointment, See **Receivers**
  rules of civil procedure, Title 25, chapter 20, M.R.Civ.P., Rule 69
  title of receiver, relation back, 25-14-205
  withholding property, answer, 25-14-102
  witnesses, 25-14-105, 25-14-106, 25-14-108
Child support
  debts, veterans' and social security benefits — exemption not applicable, 25-13-608, See also **CHILD SUPPORT**, **Duty of support**
  income withholding
    income exempted, 25-13-608, 40-5-403
    priority, 40-5-423
City courts, See **CITY COURTS**
Contribution, 25-13-104, 25-13-804
Costs, officer's — for, 25-10-406
Counties or county officers, judgment against, 25-13-205, 25-31-1111
Criminal judgments, See **CRIMINAL PROCEDURE**, **Judgment**
Death of party, effect, 25-13-103
Delivery of possession of property
  judgment requiring, 25-13-203
  writ
    enforcement by, 25-13-201
    requirements, 25-13-307
Deposits in court, 25-13-203
Distraint, warrant for — upon, 15-1-701, 15-1-706, 15-1-707, 72-16-432
Docketing of satisfaction, 25-9-311
Due process, Const., II, 17
Eminent domain, for assessment, 70-30-308
Estates and probate, See **ESTATES AND PROBATE**
Estates at will, 70-15-206
Exemptions from
  animals, feed, and crops, 25-13-609
  arms, 25-13-609, 25-13-613
  assignment for benefit of creditors, effect, 31-2-227
  bankruptcy, applicability of laws, 31-2-106
  burial plots, 25-13-608
  cemeteries, 25-13-608, 25-13-613, 35-20-217
  child support, 25-13-608, 40-5-403
  claim enforceable against, 25-13-607
  clothing, 25-13-609

EXECUTION (Continued)
Exemptions from (Continued)

- cooperative association, shares in, 35-15-404
- crime victims reparation benefits, 53-9-129
- disability benefits, 25-13-608
- escrow business escrow funds, 32-7-117
- estate of decedent, 72-3-813
- fire company or department property, 25-13-613
- fire department relief association benefits, 19-18-612
- fraternal benefit society benefits, 33-7-522
- furniture, 25-13-609, 25-13-613
- governmental functions, property for, 25-13-613
- hail insurance benefits, 80-2-245
- health aids, 25-13-608
- homesteads, 25-13-615, 70-32-201, 70-32-213; Const., XIII, 5, See **PROPERTY, REAL, Homesteads**
- hospital benefits, 25-13-608
- household property, 25-13-609, 25-13-613
- housing authorities, municipal — property, 7-15-4532
- insurance benefits, 33-15-511 — 33-15-514
- insurers, delinquent — during pendency of liquidation proceedings, 33-2-1386
- investments, board of, 17-5-1648
- levy against, 25-13-607
- liberal laws required, Const., XIII, 5
- libraries, 25-13-613
- life insurance
    - benefits, 33-15-511
    - unmatured contracts, 25-13-609
- machinery, 25-13-613
- maintenance, 25-13-608
- medical benefits, 25-13-608
- motor vehicle financial responsibility, money or securities for proof of — when, 61-6-138
- parking commission property, when, 7-14-4666
- partnership interest, 35-10-505
- personal effects, 25-13-609
- personal property
    - traceable proceeds, 25-13-610
    - value limitations, 25-13-609
- police officers' retirement benefits, 19-19-504
- profession, property to carry on, 25-13-609
- public assistance payments, 25-13-608, 53-2-607
- public buildings, 25-13-613
- public employees' retirement benefits, 19-2-907, 19-2-1004
- residency, effect, 25-13-609, 25-13-613
- silicosis benefits, 39-73-110
- social security benefits, 25-13-608
- taxpayer rights, 15-1-222
- teachers' retirement funds or benefits, 19-20-706
- tools of trade, 25-13-609
- tort claims or judgments, 2-9-318
- unemployment insurance benefits, 39-51-3105
- university system optional retirement program — contracts, benefits, and contributions, 19-21-212
- urban renewal property, 7-15-4260
- utilities, rural cooperatives — private property of members, 35-18-302
- vehicles, 25-13-613
- veterans' benefits, 25-13-608

EXECUTION (Continued)
Exemptions from (Continued)

- wages, 25-13-610, 25-13-614
- waiver in unsecured not unenforceable, 25-13-601
- weapons, 25-13-609, 25-13-613
- workers' compensation benefits, 39-71-743

Fees, 7-4-2525, 7-4-2631, 7-32-2141, 7-32-2142, 25-1-201
Fire hazards, order to repair or demolish structure, 50-62-107
Foreign judgments
- distribution of proceeds, 25-9-504
- stay, 25-9-503, 25-9-505, 27-19-103

Fraudulent transfer, remedy, 31-2-339
Funds transfers, accounts, 30-4A-502
Gold dust, treated as payment of money, 25-13-501
Grazing district preferences, when, 76-16-405
Homesteads, 70-32-202, 70-32-221; Const., XIII, 5, See **PROPERTY, REAL, Homesteads**
Imprisonment of judgment debtors, Const., II, 27
- discharge
  - application, 25-14-302
  - effect, 25-14-309 — 25-14-312
  - hearing, 25-14-304
  - interrogatories by plaintiff, 25-14-305
  - judgment unaffected, 25-14-310
  - notice of application, 25-14-302, 25-14-303
  - oath by prisoner, 25-14-306
  - order, 25-14-307
  - plaintiff's request for, 25-14-311
  - reapplication, 25-14-308
  - support of prisoner, discharge upon failure of plaintiff to advance, 25-14-312
  - when, 25-14-301, 25-14-311, 25-14-312
- exemption, 25-14-309, 25-14-311
- issuance of execution, 25-13-201
- undertaking, for failure to enter, 25-14-102
- writ, requirements, 25-13-308

Indebtedness
- payment in satisfaction of execution, 25-13-502
- subject to execution, 25-13-501, 25-13-607

Index, 7-4-2619, 7-4-2620, 7-4-2631
Insurance policies, 33-15-306
Insurers
- agricultural land, holder of foreclosed — disposal, right of immediately preceding owner, 25-13-901 — 25-13-904
- levying against insurer, prevention when, 33-2-1309, 33-2-1386
- lien obtained by, 33-2-1353
- liquidator, powers, 33-2-1345

Joint debtors, 25-13-104
Judgment for, 25-13-102
Justices' courts, See **JUSTICES' COURTS**
Leases
- foreclosed agricultural land, right of immediately preceding owner, 25-13-901 — 25-13-904
- liens, priority arising by, 30-2A-307
- transfer of rights by, 30-2A-303

Levy, 25-13-501, 25-13-607
Levying officers, Title 25, chapter 1, part 11
Liens
- boats, 23-2-508
- off-highway vehicles, 23-2-811

EXECUTION (Continued)
Liens (Continued)

- officers, special lien, 71-3-1503
- real property, judgment of, 25-13-305
- salaries and wages, priority, 71-3-303, 71-3-305
- snowmobiles, 23-2-611

Livestock, taking possession by, 81-8-311, 81-8-313 — 81-8-315
Loans, effect on exemptions, 25-13-607
Mandamus, upon, 27-26-402
Marriage, redemption — spouse's involvement, See **Redemption**, spouse
Masters, entitlement for compensation, Title 25, chapter 20, M.R.Civ.P., Rule 53(a)
Mausoleum-columbarium property, 35-21-406
Money, gold dust as, 25-13-501
Money judgments

- disobedience to judgment, 25-13-203
- nonpayment of money collected, statute of limitation on recovery, 27-2-209
- order for payment, applicability of laws, 25-13-204
- surety, subrogation, 25-13-105
- writ of execution to enforce, 25-13-201, 25-13-301

Mortgages

- agricultural land, foreclosed — disposal, right of immediately preceding owner, 25-13-901 — 25-13-904
- effect on exemptions, 25-13-613

Motion for, 25-13-102
Motor carrier compensation, fees, or charges as lien — effect, 69-12-422
Municipal court, 25-30-101
Negotiable instruments

- exemption, waiver unenforceable when, 25-13-601
- status of holder when instrument acquired in, 30-3-302

Partnerships

- interest, 35-10-505, 35-10-506
- partnership or partner assets, 35-10-312

Perishable property

- appeal, effect, Title 25, chapter 21, M.R.App.P., Rule 7
- sale, notice, 25-13-701

Personal property

- possession, judgment for, 25-13-201, 25-13-203, 25-13-307
- priority, 25-13-304
- proceeds, traceable, 25-13-610
- representative, property in the hands of, 25-13-306
- sale, 25-13-701, 25-13-704, See also **Sale of property**
- value limitations or exemptions, 25-13-609

Person of judgment debtor, 25-13-201, 25-13-308
Possession of property, judgment for, See **Delivery of possession of property**
Possession, writ of — fee, 7-4-2525, 7-32-2141
Principal debtor, priority, 25-13-302
Priorities

- attachment, judgments recovered on, 27-18-903
- delivery of property and sale of property, 25-13-307
- personal property and real property, 25-13-304, 25-13-307
- person and property, 25-13-201
- principal debtor and surety, 25-13-302

Probate matters, See **ESTATES AND PROBATE**
Property subject to, 25-13-402, 25-13-501, 25-13-607, 25-13-704, See also **Availability of property, determination; Perishable property; Personal property; Real property**
Protection of property, 25-13-606
Real estate recovery account, applicants for payment from — remedies, 37-51-504

EXECUTION (Continued)

Real property
- agricultural land, foreclosed — disposal, right of immediately preceding owner, 25-13-901 — 25-13-904
- conveyance, judgment requiring, 25-13-203
- eminent domain, for assessment, 70-30-308
- estates at will, 70-15-206
- homesteads, 70-23-202; Const., XIII, 5, See **PROPERTY, REAL**
- lien, judgment for, 25-13-305
- partition sales, applicability of laws, 70-29-301
- possession, judgment for, 25-13-201
- priority, 25-13-304
- redemption, See **Redemption**
- representative, property in hands of, 25-13-306
- sale on execution, See **Sale of property**
- sale under court order, applicability of laws, 70-21-206
- writ, requirements, 25-13-305

Receivers, See also **RECEIVERS**, generally
- appointment, 25-14-201, 25-14-202, 25-14-204, 27-20-102
- bona fide purchaser, 25-13-205
- contempts, 25-14-108
- notice, 25-14-201
- oath, 25-14-203
- title of receiver, relation back, 25-14-205
- undertaking, 25-14-203
- vesting of property when, 25-14-204
- witnesses, 25-14-105, 25-14-106

Redemption
- accounting, 25-13-822
- acknowledgment, 25-13-809
- affidavit by stockholder, 25-13-804
- amount, 25-13-802 — 25-13-805
- assessments, notice, 25-13-806
- bail forfeitures, upon, 46-9-512
- certificate of redemption, 25-13-809
- certificate of sale, statement in, 25-13-711
- conveyance, 25-13-810, 25-13-811
- corporate stockholder, by, 25-13-801, 25-13-804
- damages for injury to property, 25-13-825
- eligibility, 25-13-710
- extension of time, 25-13-822
- injunctions, 25-13-823, 25-13-824
- liens, notice, 25-13-806
- maintenance of property, 25-13-823
- notice, 25-13-806, 25-13-810
- papers required, 25-13-807
- partnership interest, 35-10-505
- payment to whom, 25-13-808
- possession during redemption period, 25-13-821
- property subject to, 25-13-710
- redemptioner, 25-13-801
- rents and profits, 25-13-822
- repairs and maintenance expenses, 25-13-802, 25-13-822
- spouse, 25-13-801, 25-13-803, 25-13-805, 25-13-809
- subsequent redemption, 25-13-803
- taxes, notice, 25-13-806

EXECUTION (Continued)
Redemption (Continued)

- time limit, 25-13-802, 25-13-810, 25-13-822
- waste of property, 25-13-823 — 25-13-825

Repayment to surety, 25-13-104, 25-13-105
Representative, 25-4-402, 25-13-103, 25-13-306
Residency, effect on exemptions, 25-13-606, 25-13-613
Restitution, writ of — fee, 7-4-2525, 7-32-2141
Return, 25-9-311
Revival of judgment, 25-13-713
Rules of Civil Procedure, Title 25, chapter 20, M.R.Civ.P., Rule 69
Sale of property

- agricultural land, foreclosed — right of immediately preceding owner, 25-13-901 — 25-13-904
- alcoholic beverages seized under execution, 16-6-301
- applicability of laws, 25-13-501, 27-17-404
- attachment, balance of judgment due, 27-18-903, 27-18-905, 27-18-906
- boat certificate of ownership, transfer of interest, 23-2-510
- certificate of sale, 7-4-2619, 7-4-2620, 7-4-2631, 25-13-708, 25-13-709, 25-13-711, 25-13-714
- conveyance, 25-13-810, 25-13-811
- damages, 25-13-825
- deed, 25-13-714
- defect, 25-13-713, 25-13-714
- drug violations, forfeited property, 44-12-205
- execution by
  - judgment, 25-13-202
  - writ, 25-13-402
- fees, 7-4-2525, 7-4-2631, 7-32-2141
- fire hazards, demolition of structure — salvage sale, 50-62-107
- grain, for satisfaction of hail insurance liens, 80-2-231
- index, 7-4-2619, 7-4-2620
- injunction, 25-13-824
- landlord and tenant, tenant's personal property, 70-24-430
- livestock
  - range stock running at large, 81-8-315
  - stolen, vehicles used to transport — applicability of provisions, 81-5-110
  - trespassing, 81-4-307
- manner of conducting, 25-13-704
- manual delivery, property capable of, 25-13-704, 25-13-708
- manual delivery, property not capable of, 25-13-709
- motor vehicle certificate of ownership, transfer of interest, 61-3-201
- notice, 7-4-2525, 7-32-2141, 25-13-701 — 25-13-703, 25-13-904
- off-highway vehicle certificate of ownership, transfer of interest, 23-2-812
- order of sale, 25-13-704
- payment, refusal by purchaser, 25-13-705 — 25-13-707
- possession during redemption period, 25-13-821
- postponement, 7-4-2525, 7-32-2141, 25-13-703
- proceeds, 25-13-202, 25-13-402, 25-13-712; Title 25, chapter 21, M.R.App.P., Rule 15
- real property
  - agricultural land, foreclosed — right of immediately preceding owner, 25-13-901 — 25-13-904
  - certificate of sale, 7-4-2619, 7-4-2620, 25-13-711
  - conveyance, 25-13-810, 25-13-811
  - damages, 25-13-825
  - defect, 25-13-713, 25-13-714
  - index, 7-4-2619, 7-4-2620
  - injunction, 25-13-824

EXECUTION (Continued)
Sale of property (Continued)
  real property (Continued)
    redemption, subject to, 25-13-710, See **Redemption**
    validation, 25-13-714
    what interest transferred, 25-13-710
  recovery, 25-13-713
  redemption, See **Redemption**
  resale, 25-13-705, 25-13-707
  revival of judgment, 25-13-713
  security interest, property subject to, 25-13-712
  selection of property to be sold, 25-13-402, 25-13-704
  sheriff's sale, 7-4-2525, 7-32-2141, 25-13-714
  snowmobile certificate of ownership, transfer of interest, 23-2-612
  validation, 25-13-714
  warranty, 30-11-222
  what may be sold, 25-13-402, 25-13-704
Secured party, affidavit by, 25-13-506
Securities, upon, 25-13-501
Security interest, upon property subject to, 25-13-505, 25-13-506, 25-13-712
Sheriff's sale, See **Sale of property**
Silicosis benefits, exemption, 39-73-110
Small claims court
  district court, 25-34-404
  justice's court, 25-35-807
Specific performance, of, 25-13-203; Title 25, chapter 20, M.R.Civ.P., Rule 70
Stay of execution when, Title 25, chapter 20, M.R.Civ.P., Rule 62(b); Title 25, chapter 21, M.R.App.P., Rule 7
  foreign judgment, 25-9-503, 25-9-505, 27-19-103
  limited jurisdiction, appeal from court of, 25-33-201, 25-33-204
Subrogation, 25-13-105
Supplemental proceedings, See **Availability of property, determination**
Surety, 25-13-104, 25-13-105, 25-13-302
Taxpayer rights, 15-1-222
Third party claims, 25-13-503, 25-13-704
Time limit, 25-13-101, 25-13-102
Unemployment insurance
  benefits, exemption, 39-51-3105
  taxes, delinquent, 39-51-1304
Water commissioners, upon orders for fees and expenses, 85-5-206
Writ, 25-13-301, See also **WRITS**, generally
  agricultural land, foreclosed — disposal, right of immediately preceding owner, 25-13-904
  child support
    administrative orders, effect, 40-5-227
    distraint, warrant for — effect, 40-5-247
    judgment, enforcement, 25-13-101
  costs, security for, 25-13-403
  delivery of possession of property, when required, 25-13-201, 25-13-307, 25-13-401
  execution, 25-13-402
  fees, 7-4-2525, 7-4-2631, 7-32-2141
  foreign-money claims, united states dollar value of — determining, 25-9-712
  issuance, 15-16-401, 25-13-101, 25-13-301, 25-13-401; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 23A, 23B
  lien on real property, effect, 25-13-305
  money, when judgment for, 25-13-201
  multiple defendants, 25-13-303
  originals, destruction or mutilation, 25-13-405
  partnerships, claims against, 35-10-312

EXECUTION (Continued)
Writ (Continued)

- person of judgment debtor, when writ against, 25-13-201, 25-13-308
- possession, writ of — fee, 7-4-2525, 7-32-2141
- principal debtor, priority over surety, 25-13-302
- priorities stated in writ between
  - delivery of property and sale of property, 25-13-307
  - personal property and real property, 25-13-304, 25-13-307
  - person and property, 25-13-201
  - principal debtor and surety, 25-13-302
- property, order of resort, 25-13-201, 25-13-304
- railroads, grain elevators or warehouses along — easement granted by, 69-14-904
- range stock running at large, sale under, 81-8-315
- recording of return, 25-13-405
- representative, when property in the hands of, 25-13-306
- restitution, writ of — fee, 7-4-2525, 7-32-2141
- return of execution, 25-13-404, 25-13-405
- sale of property, when judgment requires, 25-13-202
- security for costs, 25-13-403
- service, fees, 7-4-2525, 7-32-2141
- surety, priority, 25-13-302
- time for issuance, 25-13-101

EXECUTIVE BRANCH
Administrative rules and procedure, See **ADMINISTRATIVE PROCEDURE; ADMINISTRATIVE RULES**
Advisory councils, 2-15-122, 10-3-606
Agencies
- abolition
  - existing transactions, rights and duties, 2-15-135
  - legal proceedings, effect on, 2-15-134
  - legislative review, from, 2-8-121
  - references, 2-15-136
- accounting system, 17-1-102
- administratively created, prohibited, 2-15-123
- allocation, 2-15-121, 2-15-125
- antiquities, duties concerning, See **ANTIQUITIES, State agencies**
- authority, legislative intent regarding, Title 5, chapter 4, part 4, See **LEGISLATURE, Legislative History Act**
- debt collection, Title 17, chapter 4, part 1
- defined, 2-15-102
- departmental responsibilities, 2-15-121
- department heads
  - assumption of office, rights prior to, 2-15-113
  - responsibilities, 2-15-121
- electronic bulletin board system, 2-17-321 — 2-17-323
- existing transactions, rights and duties, 2-15-135
- federal assistance programs, Title 17, chapter 3, part 1
- functions and duties, 2-15-121
- future, 2-15-125
- heritage properties, See **ANTIQUITIES**
- investments, board of — assistance by, 17-6-201
- legal proceedings, 2-15-134
- management evaluation pilot project, 2-15-126 — 2-15-128
- office space, 2-15-121
- organizational structure evaluation pilot program, 2-15-126 — 2-15-128

EXECUTIVE BRANCH (Continued)
Agencies (Continued)

- programs, legislative review, See **Legislative review**
- property, 2-15-132, 2-17-202, 18-6-101 — 18-6-103, See also **STATE GOVERNMENT**
- reapportionment commission, cooperation and assistance, 5-1-107
- reports by, See **GOVERNOR**, **Reports from other agencies**
- review, See **Legislative review**
- rules and orders, 2-15-133
- session laws, copies to, 5-11-203
- statewide classification and pay plans, 2-18-103
- sunset law, See **Legislative review**
- transfer of functions
  - existing transactions, rights and duties, 2-15-135
  - legal proceedings, effect on, 2-15-134
  - references, 2-15-136
  - rights to property, 2-15-132
  - rules and orders, 2-15-133
- treasurer for, 17-6-105

Age of officers, Const., VI, 3
Allocation of functions, Const., VI, 7
Appointment of officers, Const., VI, 6
Attorney general, opinions, 2-15-501, See **ATTORNEY GENERAL**
Auditor, State, See **STATE AUDITOR**
Audits, See **Legislative review**; See also **LEGISLATIVE AUDIT**, generally
Blue-collar occupations, wages, See **PUBLIC OFFICERS OR EMPLOYEES, Classification of employees; Compensation determination**
Boards

- quasi-judicial, 2-15-124, 10-3-606
- session laws, copies to, 5-11-203
- statewide classification and pay plans, 2-18-103

Boundary Advisory Committee, Montana-Western Canadian Provinces — membership and support, 1-13-103, 1-13-105, 1-13-111
Budgets and budget amendments, See generally **BUDGET AND BUDGETING**
Bureaus, 2-15-104
Candidacy of officer for other public office, Const., VI, 5
Citizenship of officers, Const., VI, 3
Closure of governmental facilities, 39-2-1001 — 39-2-1004
Code of Ethics, Title 2, chapter 2, part 1; Const., XIII, 4, See **CODE OF ETHICS**
Commissions, 10-3-606; Const., VI, 7
Confidential records and information obtained by legislative fiscal analyst, 5-12-303
Constitutional provisions, Const. VI
Consultant services contracts, Title 18, chapter 8, part 1
Contracts, public, Title 18
Data and information technology resources, 2-15-102, 2-15-114
Death of officer, Const., VI, 6
Definitions, 2-8-102, 2-15-102
Department heads, 2-15-102, See also **Directors**

- administrative rule notices, appointment of person to review, 2-4-110
- advisory councils, creation, 2-15-122
- agencies, duties, 2-15-121, See **Agencies**
- appointment, 2-15-111, 39-29-101, 39-30-103; Const., VI, 8
- confirmation by senate, Const., VI, 8
- data and information technology resources, security responsibilities, 2-15-114
- elected officials, powers as, 2-15-105
- ethics, code of, Title 2, chapter 2, part 1
- legislative proceedings, fee exemption, 5-11-214
- motor vehicles, state-owned — violations by officers or employees, effect, 2-17-421

EXECUTIVE BRANCH (Continued)
Department heads (Continued)

- nepotism, Title 2, chapter 2, part 3
- powers and duties, 2-15-112
- prior right to agencies and records, 2-15-113
- qualifications, 2-15-111
- removal, 2-15-111; Const., VI, 8
- termination of agencies and programs, testimony, 2-8-113
- term of office, Const., VI, 8
- vacancy in office, 2-15-111; Const., VI, 8

Departments, 2-15-102
- agencies allocated to, See **Agencies**
- allocation of functions, 2-15-104, 2-15-125; Const., VI, 7
- cities and towns, bankruptcy — role, 7-7-4113
- county officers
  - consolidation of offices, records, 7-4-2311
  - practice of law, restrictions, 7-4-2210
- directors, See **Directors**
- enumeration, 2-15-104
- heads, See **Department heads**
- number of departments, 2-15-101; Const., VI, 7
- offices, 2-15-112
- session laws, copies to, 5-11-203
- structure, 2-15-104, 2-15-112, 2-15-123
- supervision, 2-15-103; Const., VI, 8
- transfer of functions, 2-15-125, 2-15-132 — 2-15-136
- twenty departments, 2-15-101; Const., VI, 7

Directors, 2-15-102, See also **Department heads**
- appointment, 2-15-111
- budget requests, submission, 17-7-112
- employees seeking employment with persons regulated by, notification, 2-2-121
- heritage properties, identification — request for, 2-17-107
- publishing policy committee, appointment to, 2-15-1017
- qualifications, 2-15-111
- removal, 2-15-111
- travel expenses, 2-18-501, 2-18-502
- vacancy in office, 2-15-111

Disability of officer, Const., VI, 6; VI, 14

Discriminatory employment practices justifiable when, 49-2-308, See also **DISCRIMINATION, Government, state and local**

Divisions, 2-15-104

Duties generally, Const., VI, 1; VI, 4

Election of officers, Const., VI, 1; VI, 2; VI, 6

Elective officials, See also **PUBLIC OFFICERS OR EMPLOYEES**, generally
- age, Const., VI, 3
- citizenship, Const., VI, 3
- department heads, powers as, 2-15-105
- duties generally, Const., VI, 4
- election, Const., VI, 2
- enumerated, Const., VI, 1
- governor's permission or approval required when, 2-15-105
- information to governor, Const., VI, 15
- journals, house and senate — copies to, 5-11-203
- legislative proceedings, fee exemption, 5-11-214
- personal staff
  - defined, 2-18-101
  - limitation, 2-18-104

EXECUTIVE BRANCH (Continued)
Elective officials (Continued)
  personal staff (Continued)
    statewide classification and pay plans, exemptions limited, 2-18-104
  public employees' retirement system, applicability, 19-3-403
  public office, may not hold other public office, Const., VI, 5
  qualifications, Const., VI, 3
  records of, See **PUBLIC RECORDS, Executive branch officers**
  residence, Const., VI, 1; VI, 3
  salaries, 17-7-140; Const., VI, 5
  session laws, copies to, 5-11-203
  statewide classification and pay plans, 2-18-103
  succession to office, Const., VI, 6
  term of office, Const., VI, 1; VI, 6
  vacancies, Const., VI, 6
Employment preference, See **LABOR AND EMPLOYMENT, Preference to handicapped persons; Preference to veterans**
Energy conservation measure grants, 90-4-109
Ethics, Code of, Title 2, chapter 2; Const., XIII, 4, See **CODE OF ETHICS**
Evaluation, See **Legislative review**
Federal funds
  advisory councils, existence, 2-15-122
  compliance, 2-15-102
  conflicts regarding, 2-15-137
  department heads, authority, 2-15-112
Fiscal affairs, Title 17
Gasohol, state vehicles — use requirements, 2-17-414
Governor, See **GOVERNOR**
Handicapped persons, employment preference, See **LABOR AND EMPLOYMENT, Preference to handicapped persons**
Impeachment, officers subject to, Const., V, 13; Title 5, chapter 5, part 4, See **IMPEACHMENT**
Incentive program for employees, Title 2, chapter 18, part 11
Indian reservation residents, hiring preference, 2-18-111, 18-1-110
Investigation by gubernatorial committee, Const., VI, 15
Legislative Council, investigative authority, 5-11-106
Legislative fiscal analyst, investigative authority, 5-12-303
Legislative review
  criteria for, 2-8-112
  definitions, 2-8-102
  determination of agencies and programs for, 2-8-105
  hearings, 2-8-113
  prereview, agency responsibilities, 2-8-111
  purpose, 2-8-101
  reestablishment of agency or program, 2-8-112, 2-8-113, 2-8-122
  report, 2-8-112
  termination of agencies and programs
    effect, 2-8-121
    recommendations for, 2-8-105, 2-8-112, 2-8-113
Legislative studies regarding, 5-5-215
Licensing boards, See **PROFESSIONS AND OCCUPATIONS**
Lieutenant governor, See **LIEUTENANT GOVERNOR**
Motor vehicles, See **STATE GOVERNMENT**
Nepotism, Title 2, chapter 2, part 3, See **NEPOTISM**
Oath of officers, 2-16-211; Const., III, 3
Office space, See **CAPITOL AND OTHER STATE BUILDINGS**
Organization
  definitions, 2-15-102

EXECUTIVE BRANCH (Continued)
Organization (Continued)

  federal aid, conflicts regarding, 2-15-137
  purpose of provisions, 2-15-101
  rights
    property, to, 2-15-132
    state personnel, of, 2-15-131
  transfer of functions, See **Agencies**, abolition; transfer of functions
Performance audits, See **Legislative review**
Policies, administration, 2-15-103
Power vested in governor, Const., VI, 4
Preference to veterans and handicapped persons in employment, See **LABOR AND EMPLOYMENT; Preference to handicapped persons; Preference to veterans**
Printing, Title 18, chapter 7, parts 1 and 3
Privatization of state programs, Title 2, chapter 8, part 3
Procurement, Title 18, chapters 4 and 5
Property, sale or interagency transfer, 18-6-101 — 18-6-103
Publications library distribution center, 22-1-211 — 22-1-218, See **LIBRARIES, State publications library distribution center**
Public office, officers may not hold other public office, Const., VI, 5
Purchase of goods and services, Title 18, chapters 4 and 5
Qualifications of officers, Const., VI, 3
Quasi-judicial boards, 2-15-124, 10-3-606, See also **Boards**
Quorum requirement of councils, boards, or commissions when, 10-3-606
Records management and preservation, See **PUBLIC RECORDS, Management**
Reorganization, See **Agencies**, abolition; transfer of functions; **Organization**
Reports to governor, See **GOVERNOR, Reports from other agencies**
Residence of officers, Const., VI, 1; VI, 3
Resignation of officer, Const., VI, 6
Retrenchment of governmental facilities, 39-2-1001 — 39-2-1004
Review
  by governor, 2-7-103
  legislative, See **Legislative review**
Rules, authorization for adoption, Title 5, chapter 4, part 4, See **LEGISLATURE, Legislative History Act**
Salaries of officers, 17-7-140; Const., VI, 5, See also **WAGES AND SALARIES**; main category for specific officer
Secretary of state, See **SECRETARY OF STATE**
Sections, 2-15-104
Separation of powers, Const., III, 1
Session laws, copies to, 5-11-203
State auditor, See **STATE AUDITOR**
Structure, 2-15-101, 2-15-104, See also **Departments**
Succession to office, Const., VI, 6; VI, 14
Sunset law, See **Legislative review**
Superintendent of public instruction, See **SUPERINTENDENT OF PUBLIC INSTRUCTION**
Supervisory authority, Const., VI, 8
Term of office, Const., VI, 1; VI, 6
Vacancies, Const., VI, 6
Veterans' employment preference, See **LABOR AND EMPLOYMENT, Preference to veterans**
Water Policy Committee, duties, 85-2-105
Water resources data management system, cooperation, 85-2-112
Workers' compensation, Title 39, chapter 71, See **WORKERS' COMPENSATION**

EXECUTIVE CLEMENCY, Const., VI, 12
  See **PROBATION, PAROLE, AND CLEMENCY**

EXECUTIVE REORGANIZATION, Title 2, chapter 15
  See **EXECUTIVE BRANCH, Organization**

EX-OFFENDERS
  See **OFFENDERS, FORMER**

EXPLOSIONS AND EXPLOSIVES
Arson, 45-6-103
  negligent arson, 45-6-102
Beaver dam destruction, for, 87-1-224
Blasting, construction, Title 37, chapter 72
Boiler and steam engine safety, 50-74-215
Burglary, use of explosives in, 45-6-204, 45-6-205
Cities and towns
  emergency expenditures and liabilities, 7-6-4251
  purchases, exemption from bid requirements, 7-5-4303
  smokeless powder and small arms primers, storage, 50-61-120
City or town councils, powers, 7-33-4205, 7-33-4206
Coal mines, firedamp in — notice, 50-73-306
Construction blasting, Title 37, chapter 72
Counties
  emergency expenditures and liabilities, 7-6-2341, 7-6-2344
  purchases, exemption from bid requirements, 7-5-2304
  smokeless powder and small arms primers, storage, 50-61-120
Definitions, 37-72-101, 45-8-332, 61-1-506
"Destructive device" defined, 45-8-332
"Disaster" defined, 10-3-103, See **EMERGENCIES AND EMERGENCY POWERS**
Disorderly conduct, offense of, 45-8-101
Electrical standards for buildings, 50-60-601, See **BUILDINGS AND BUILDING REGULATIONS**
Electricians, licensing — purpose, 37-68-101, See **ELECTRICIANS**
"Explosive" defined, 37-72-101, 45-8-332, 61-1-506
False alarm of explosion, 45-5-203, 45-8-101
Fireworks, See **FIREWORKS**
Fish, use in taking unlawful, 87-1-102, 87-2-806, 87-3-206
Geophysical exploration, use in, 82-1-108
Highways, construction blasting, Title 37, chapter 72, See **CONSTRUCTION BLASTING AND CONSTRUCTION BLASTERS**
Insurance
  agricultural commodity warehouse operators, 80-4-502
  casualty, 33-1-206, See **INSURANCE, CASUALTY**
  premium tax on specific risks, 19-18-512
Intimidation, offense of, 45-5-203
Justice, Department of
  rulemaking authority, 45-8-332, 50-3-102, 50-3-103
  state buildings, bomb threats — rules concerning, 50-3-102
Malicious use, 45-8-333
Manufacture of explosives, 50-3-102
Mines
  coal, firedamp in — notice, 50-73-306
  construction blasting, Title 37, chapter 72
  use in operations, 82-4-222, 82-4-231, 82-4-356

EXPLOSIONS AND EXPLOSIVES (Continued)

Minors
  detention when, 41-5-305
  employment, handling during prohibited, 41-2-106, 41-2-107
  possession by, 41-5-206
  sale or giving to, 45-5-623
Offenses, See **Violations**
Oil and gas pools, enhanced recovery — nonapplicability, 82-11-101
Possession of destructive devices or explosives, 41-5-206, 45-8-334, 45-8-335
  evidence of intent, 45-8-337
Railroads, transportation by — unlawful when, 69-14-562
Reckless use, 45-8-333
Rules, 37-72-201, 37-72-202, 45-8-332, 50-3-102, 50-3-103
Sale of explosives
  minors, to — unlawful, 45-5-623
  rulemaking authority, 50-3-102
Schools, emergency closure, 20-9-802
School trustee meetings, effect on, 20-3-322
Seismic operations, use in, 82-1-108
Smokeless powder and small arms primers, storage, 50-3-103, 50-61-102, 50-61-120, 50-61-121
State buildings, threat of explosives in, 50-3-102
Storage of explosives
  cities, in, 7-33-4205, 50-61-120
  rulemaking authority, 50-3-102, 50-3-103, 50-61-102
  smokeless powder and small arms primers, 50-3-103, 50-61-102, 50-61-120, 50-61-121
Threat of explosion, 45-5-203
Trademarks, classification, 30-13-331, See **TRADE REGULATION AND COMPETITION, Trademarks and service marks**, generally
Transportation of explosives, See also **Vehicles carrying**
  railroad crossings, stopping at, 61-8-349
  railroads, by — unlawful when, 69-14-562
  rulemaking authority, 50-3-102
Underground storage tanks, hazard, 75-11-202, See **HAZARDOUS WASTES, Underground Storage Tank Installer Licensing and Permitting Act**
Use of explosives
  construction blasting, in, Title 37, chapter 72
  reckless or malicious, 45-8-333
  rulemaking authority, 50-3-102, 50-3-103, 37-72-201, 37-72-202
Vehicles carrying, See also **Transportation of explosives**
  definition, 61-1-506
  disabled, display of warning devices, 61-9-412
  general provisions, 61-9-413
  railroad grade crossings, stopping at, 61-8-349
  warning devices
    carrying, 61-9-411
    display, 61-9-412
Violations
  arson, 45-6-102, 45-6-103
  burglary, use of explosives in, 45-6-204, 45-6-205
  false alarm of explosion, 45-5-203, 45-8-101
  minors
    possession, 41-5-206
    sale or gift to, 45-5-623
  possession unlawful when, 41-5-206, 45-8-334, 45-8-335
    evidence of intent, 45-8-337

EXPLOSIONS AND EXPLOSIVES (Continued)
Violations (Continued)

- reckless or malicious use, 45-8-333
- rules of department of justice, 50-3-103
- sale or gift to minor, 45-5-623
- transportation by railroads on passenger cars, 69-14-562

EX POST FACTO LAWS, Const., II, 31; XIII, 1
  See **LAW**

EXPRESSION, FREEDOM OF, 45-8-107; Const., II, 7

EXTRADITION
Definitions, 46-30-101
Detainers, Title 46, chapter 31
From another state, procedure
- affidavits, 46-30-401
- assistance of public officer, 46-30-412, 46-30-413
- confinement or prosecution pending in another state, 46-30-403
- demand, 46-30-401, 46-30-402
- expenses, 46-30-403, 46-30-411 — 46-30-413
- prosecution for other crimes, no immunity, 46-30-405
- service of civil process, immunity, 46-30-404
- transportation, 46-30-411

Interstate Corrections Compact, escaped prisoner under, 46-19-301
Juveniles, Title 41, chapter 6, See **MINORS, Interstate Compact on Juveniles**
Nonsupport, persons charged criminally for, 40-5-153, 40-5-154
Nonwaiver by this state, 46-30-102
Rules of Evidence inapplicable, Title 26, chapter 10, M.R.Ev., Rule 101
Subdivisions out-of-state, in-state sales violations — proceedings, 76-4-1246
To another state, procedure
- absence from demanding state at time of commission of crime, 46-30-204
- affidavits, 46-30-211, 46-30-227
- alias warrant, 46-30-214
- arrest, 46-30-201, 46-30-215 — 46-30-217, 46-30-227
- arrest warrant, 46-30-213 — 46-30-215, 46-30-227, 46-30-228
- arrest without warrant, 46-30-301, 46-30-305
  - bail, 46-30-302 — 46-30-305
  - commitment awaiting demand, 46-30-302, 46-30-304
- confinement of accused, 46-30-226, 46-30-302, 46-30-304
- demand, 46-30-211, 46-30-212, 46-30-217
- duty of governor, 46-30-201
- guilt or innocence, inquiry prohibited, 46-30-225
- habeas corpus, 46-30-217, 46-30-228, 46-30-229; Const., II, 19
- investigation upon demand, 46-30-212
- involuntary departure from demanding state, when, 46-30-203
- prosecution pending in this state, 46-30-202
- rights of the accused, 46-30-217, 46-30-218, 46-30-225, 46-30-228, 46-30-229
- waiver of proceedings, 46-18-202, 46-23-215, 46-30-228, 46-30-229

Uniform Criminal Extradition Act, Title 46, chapter 30

F

FACILITY SITING
  See also **UTILITIES**
Actions, 75-20-404, 75-20-405, 75-20-408
Administration of provisions, 75-20-215, 75-20-408
Affidavit requirements, 75-20-404
Air and water quality
  compliance with standards, 75-20-401
  hazardous waste disposal, transportation, or storage — concurrent studies, 75-10-407
  local air pollution control program, authority — limitation, 75-2-301
Alternative sites
  applications
    receipt of, procedures following, 75-20-216
    requirements, 75-20-211, 75-20-225
  waiver of compliance with provisions when, 75-20-304
Appeals
  air and water quality decisions, 75-10-407
  amendments to certificate, from departmental determination, 75-20-219
  decisions, from, 75-20-406
  pending, limitations on stay or suspension, 75-20-410
  permit or certification denial, 75-20-406
Applicability of provisions in definition of facility, 75-20-104
Applicants, See also **Applications**
  compliance statement, 75-20-303
  contracts for information, 75-20-106, 75-20-215, 75-20-225
  filing fees, 75-20-213, 75-20-215, 75-20-217, 75-20-225
  monitoring expenses, 75-20-402
  renewal of certificate, 75-20-225
  supplemental material submitted when, 75-20-213
Applications, 75-20-104, See also **Applicants**
  amendments, 75-20-213
  combination of two or more facilities, 75-20-211, 75-20-215
  contents, 75-20-211, 75-20-225
  decisions concerning, See **Decisions**
  false statements, 75-20-217, 75-20-403
  filing, 75-20-211, 75-20-225
  form and content
    failure to file in, 75-20-217
    rules for, 75-20-225
  hazardous waste disposal, transportation, or storage — effect, 75-10-407
  long-range plans, effect, 75-20-501
  notices and proof thereof, 75-20-211, 75-20-213, 75-20-225
  receipt of, procedures following, 75-20-216, 75-20-226
  renewal of certificate, 75-20-225
  review, time periods, 75-20-218
  service of copies
    failure of, cure for, 75-20-212
    proof of, 75-20-211, 75-20-225
  voiding when, 75-20-217
Centerline location approval process, 75-20-205
Certificate of environmental compatibility and public need, 75-20-104
  amendments, 75-20-213, 75-20-219
  appeals from denial, 75-20-406

FACILITY SITING (Continued)
Certificate of environmental compatibility and... (Continued)

- applicants or applications, See **Applicants; Applications**
- conditions
  - centerline location approval, 75-20-205
  - compliance statement, 75-20-303
  - imposition, 75-20-302
  - noncompliance, 75-20-403
- conformance, operation of facility in, 75-20-201
- enforcement, 75-20-408
- environmental evaluation statements, inclusion, 75-20-303
- exemptions, 75-20-202
- issuance
  - additional requirements following, not permitted when, 75-20-401
  - decisions concerning, See **Decisions**
- lapse, 75-20-303
- local government powers, 7-1-111
- nuclear facilities, approval requirements, 75-20-201, 75-20-1203
- renewal
  - application — form, contents, filing, and fee, 75-20-225
  - decision and hearing, 75-20-227
  - study and reports, 75-20-226
- required, 75-20-102, 75-20-201
- revocation or suspension, 75-20-403
- time limits for construction, inclusion, 75-20-303
- transferability, 75-20-203
- void when, 75-20-303
- waiver when, 75-20-304
- yellowstone river diversions contingent upon, 85-2-806

Certification proceedings
- decisions, See **Decisions**
- findings necessary for, 75-20-301
- hearing examiner, 75-20-220
- hearings, 75-20-218, 75-20-220, 75-20-222
- parties to, 75-20-221
- prehearing conferences and orders, 75-20-220
- renewal of certificate, 75-20-227
- statement of intent to participate, 75-20-221
- waiver of provisions, 75-20-304

Citation of Major Facility Siting Act, 75-20-101
Coal impact grants, eligibility, 90-6-207
Commence to construct, 75-20-104, 75-20-201
Construction of facilities
- electric transmission lines, requirements, 75-20-207, 75-20-208
- exempt facilities, 75-20-202
- 5-year site reviews, 75-20-502
- good faith effort to complete, 75-20-303
- jurisdiction of courts, 75-20-407
- monitoring, plan for, 75-20-303
- strip- or underground-mining operations, commencement, 82-4-221
- waiver of compliance with provisions when, 75-20-304

Contempt when, 75-20-404
County governing bodies, long-range plans furnished to, 75-20-501
Courts
- appeals, pending
  - limitations on stay or suspension, 75-20-410
  - surety bond, 75-20-411

FACILITY SITING (Continued)
Courts (Continued)

decision by board, review, 75-20-406
jurisdiction restricted, 75-20-407
Dam Safety Act, facilities exempt when, 85-15-107
Decisions
appeals, 75-20-406
conditions, imposition, 75-20-302
findings necessary for certification, 75-20-227, 75-20-301, 75-20-503
judicial review, 75-20-406
opinion issued with, contents, 75-20-227, 75-20-303
rendered when, 75-20-227, 75-20-301
time periods, 75-20-218
Educational impact statements required when, 20-1-208, 20-1-209
Electric transmission lines and associated facilities, 75-20-104
long-range plans, applicability, 75-20-501
notice requirements, when, 75-20-207
verification of requirements, 75-20-208
Eminent domain, inclusion in definition of "commence to construct", 75-20-104
Enforcement, 75-20-404, 75-20-408
Environmental evaluation statements, inclusion with certificate, 75-20-303
Environmental factors, evaluation, 75-20-503
Environmental impact statements, See also **ENVIRONMENTAL PROTECTION**
decisions by department or board in lieu of, 75-20-216
fees, exemption, 75-1-207, 75-20-204
filing fees, credit against — when, 75-20-215
Environmental impact studies, 75-20-211, 75-20-226
Environmental Quality Council
applications, copies to, 75-20-211, 75-20-225
long-range plans filed with, 75-20-501
party to proceedings, 75-20-221
Environmental review, facility designated by governor for — exemption from provisions, 75-20-202
Evidence
amendments to certificate, requirements, 75-20-219
certification proceedings, 75-20-220, 75-20-222
Exemptions, 75-20-202
"Facility" defined, 75-20-104
Federal agencies
applications, copies to, 75-20-211, 75-20-225
parties to proceedings, 75-20-221
Federal energy regulatory commission jurisdiction, facilities subject to, 75-20-204
Federal facilities, applicability of provisions, 75-20-201
Fines, disposition, 75-20-112, 75-20-408
5-year site reviews, 75-20-502
Funds, 75-20-111, 75-20-226
Geothermal exploration, 75-20-1001, See also **GEOTHERMAL RESOURCES AND EXPLORATION**
Grants, 75-20-111
Hazardous wastes
coordination of provisions, 75-10-404
disposal, transportation, or storage — effect of applications resulting in, 75-10-407
Impact statements, See **Environmental impact statements**
Injunction, 75-20-408
Landowner's property
electric transmission lines, consent for construction, 75-20-408
optional payments for location of facility on, 75-20-409

FACILITY SITING (Continued)

Least-cost plan, 75-20-501
Legislative findings, 75-20-102
Long-range plans
  contents and applications, 75-20-501
  environmental factors, evaluation, 75-20-503
  study of included facilities, 75-20-502
Major Facility Siting Act, 75-20-101, 75-20-103
Monitoring, plan for, 75-20-303, 75-20-402
Nonprofit organizations, parties to proceedings when, 75-20-221
Nuclear, Title 75, chapter 3, See **RADIOACTIVE SUBSTANCES, Nuclear Compact, Western Interstate**
Nuclear energy conversion, 75-20-1202
  approval requirements, 75-20-201, 75-20-1201
  bond requirements, 75-20-1203
  certificate issuance, requirements, 75-20-1203
  disposal of radioactive materials, effect of provisions for, 75-3-302
  emergency approval authority invalid, 75-20-1205
  evacuation and emergency medical aid plans, review, 75-20-1204
  purpose of provisions, 75-20-1201
Operation of facility, conformance with certificate, 75-20-201
Penalties, disposition, 75-20-112, 75-20-408
Plant closures, waiver of certification proceedings, 75-20-304
Policy of state, 75-20-102
Prehearing conferences and orders, 75-20-220
Public officers or employees, failure to enforce provisions, 75-20-404
Reconstruction or relocation of facilities, 75-20-202, 75-20-304
Revegetation of rights-of-way and disturbed areas, plans, 7-22-2152
Rural electric cooperatives, long-range plan requirements, 75-20-501
Safety
  nuclear facilities, 75-20-1201, 75-20-1203
  standards, failure to maintain, 75-20-403
Surety bond required when, 75-20-411
Taxes, disposition, 75-20-112
Transmission substation, 75-20-104, 75-20-215
Upgrading of facilities
  cost, effect on filing fee, 75-20-215
  exemption from provisions, 75-20-202
Utilities, 75-20-104
  considerations applicable to, 75-20-301
  least-cost plan, 75-20-501
  long-range plans, 75-20-501 — 75-20-503
  yellowstone river moratorium, applicability of laws, 85-2-607
Violations
  certificate revocation or suspension for, 75-20-403
  civil actions, 75-20-204, 75-20-408
  penalties, 75-20-204, 75-20-408
Water quality, See **Air and water quality**
Water supplies, contamination — recovery of damages, 75-20-405
Yellowstone River
  diversions, consolidation of proceedings, 85-2-806
  moratorium, applicability of laws, 85-2-607

FACSIMILE SIGNATURES OF PUBLIC OFFICIALS ACT, UNIFORM, 2-16-114
  See **PUBLIC OFFICERS OR EMPLOYEES, Signatures**

FAIRS
Agricultural products, county — promotion, 7-21-3201
Agriculture, Department of — duties concerning, 80-1-102
Amusement games, Title 23, chapter 6, part 1
Beer or wine sales, 16-3-103, 16-4-111, 16-4-204, 16-4-301, 16-4-501
Carnival games, Title 23, chapter 6, part 1
Carnivals
  hours of labor for employees, 39-4-112
  motor vehicle gross weight fees, exemption when, 61-10-211
Circuses
  hours of labor for employees, 39-4-112
  licensing, city, 7-21-4201, 49-3-204
  "roadside menagerie or zoo" defined, 87-4-801
Community service corps and volunteer projects, 90-14-105
County fair commission
  amusement game operators, agreement with, 23-6-101
  appointment, 7-21-3401
  budget and revenue amount, 7-21-3455 — 7-21-3457
  capital improvement fund, 7-21-3413, 7-21-3414
  compensation, 7-21-3405
  creation, 7-21-3401
  district, See **County fair districts**
  duties, 7-21-3407, 7-21-3454
  expenses, 7-21-3405
  fairgrounds and buildings, 7-21-3408 — 7-21-3410
  horseracing, board of — representation on, prohibited, 2-15-1881
  joint fair and civic center commission, 7-21-3451, 7-21-3452, 7-21-3454
  officers, 7-21-3404, 7-21-3405, 7-21-3455
  organization, 7-21-3404
  powers, 7-21-3406, 7-21-3451
  prizes awarded by, nonapplicability of gift enterprise provisions, 23-5-112
  term of members, 7-21-3401, 7-21-3453
County fair districts
  additional counties, joining, 7-21-3424
  budgets, 7-21-3429
    approval, 7-21-3431, 7-21-3432
    certification and filing, 7-21-3430
    meeting on, 7-21-3431, 7-21-3432
  county fair money, transfer to, 7-21-3434
  creation, 7-21-3421 — 7-21-3423
  directors, board of, 7-21-3425
    additional counties joining district, authorization, 7-21-3424
    amusement game operators, agreement with, 23-6-101
    budget, 7-21-3429, 7-21-3430
    duties, 7-21-3426
    organization, 7-21-3426
    powers, 7-21-3427
    property, title provisions, 7-21-3428
    warrants, 7-21-3435
  fairgrounds, 7-21-3427
  money, management, 7-21-3435
  protests to creation, 7-21-3422, 7-21-3423
  records, 7-21-3426
  tax levy, 7-21-3433

FAIRS (Continued)

County fairs, Title 7, chapter 21, part 34
  activities, funding, 7-16-2109, 7-21-3410, 7-21-3411
  advertising exemption from county printing provisions, 7-5-2414
  agricultural products, promotion, 7-21-3201
  annual, 7-21-3407, 7-21-3455
  beer or wine sales, 16-3-103, 16-4-111, 16-4-204, 16-4-301, 16-4-501
  budget, 7-21-3455 — 7-21-3457
  commission, duties, 7-21-3407
  control and operation, 7-21-3406
  district fairs, money transferred to, 7-21-3434
  districts, See **County fair districts**
  exhibition contracts, 7-21-3407
  exhibits at other fairs, payment of expenses, 7-21-3412
  fairgrounds and buildings
    budget, 7-21-3455 — 7-21-3457
    capital improvement fund, 7-21-3413
    land for, 7-21-3408, 7-21-3410
    lease, 7-21-3406, 7-21-3409
    revenue, 7-21-3409, 7-21-3455, 7-21-3456, 23-4-302
    supervision and management, 7-21-3406, 7-21-3407, 7-21-3455
  fees, admission and entrance, 7-21-3407
  horseracing
    county funds not to be used for, 7-21-3411
    simulcast race meets, parimutuel betting proceeds — distribution, 23-4-302
  labor, employment, 7-21-3407
  prizes, 7-21-3407
    nonapplicability of gift enterprise provisions, 23-5-112
  property, 7-21-3407
    acquisition, 7-21-3408
    capital improvement fund, 7-21-3413
  revenue, 7-21-3455, 7-21-3456
  tax levy for, 7-16-2109, 7-21-3410, 7-21-3411, 7-21-3457
Equine activities, liability, 27-1-725 — 27-1-728
Exhibits, 7-21-3412
Fair and civic center commission, joint, 7-21-3451
  amusement game operators, agreement with, 23-6-101
  authority of county commissioners, 7-21-3458
  budget and revenue amount, 7-21-3455 — 7-21-3457
  composition, 7-21-3452
  duties, 7-21-3454
  officers and meetings, 7-21-3452, 7-21-3455 — 7-21-3457
  powers, 7-21-3451
  records and accounts, 7-21-3452
  term of commissioners, 7-21-3453
Fair associations, 50-37-107, 61-10-211
Fairgrounds and civic centers
  budget and revenue, 7-21-3455 — 7-21-3457
  management and operation, 7-21-3451, 7-21-3455
  tax levy for, 7-21-3457
Fireworks displays, 50-37-107, See **FIREWORKS**
Freight transportation, free or reduced rates, 69-11-109
Horseracing
  county funds not to be used for, 7-21-3411
  provisions applicable to, 2-15-1881, 23-4-101, 23-4-201, 23-4-302
Menageries, Title 87, chapter 4, part 8, See **FISH AND WILDLIFE**, **Zoos and menageries**

FALSE IMPRISONMENT
  See also **ARREST, False or unlawful arrest; CRIMES, Kidnapping; TORTS,** generally
Contracts, consent obtained by, 28-2-402, 28-2-403
Criminal charges, 45-5-301
Duress, as, 28-2-402
Jurisdiction, justice's court excluded, 3-10-301
Menace, as, 28-2-403
Protection from, personal right, 49-1-101
Statute of limitation, 27-2-204

FAMILY LAW MEDIATION
Abuse, exception, 40-4-301, See also **ABUSE; CHILD ABUSE AND NEGLECT**
Actions
  enumerated, 40-4-301
  records not to be used in, 40-4-303
Attorneys at law
  exclusion, 40-4-301, 40-4-302
  mediation agreement, counsel, 40-4-305
Child custody or support, See **CHILD CUSTODY; CHILD SUPPORT**
Clerk of district court, mediator list — maintenance, 40-4-306, 40-4-307
Confidentiality of proceedings and records, 40-4-303
Dissolution of marriage, See **DISSOLUTION OF MARRIAGE**
District court jurisdiction
  appointment of mediator, 40-4-301
  fees, establishment, 40-4-308
  mediation agreement, adoption, 40-4-305
  mediator list, establishment and maintenance, 40-4-306
  rules for implementation, 40-4-301
Exception, 40-4-301
Evidence, 40-4-303
Fees, 40-4-308
Implementation, 40-4-301
Mediator
  appointment, 40-4-301
  list, maintenance, 40-4-301, 40-4-306
  privilege, 26-1-811
  qualifications, 40-4-307
  recommendation, 40-4-304
Mediation
  agreement, 40-4-305
  proceeding, 40-4-302, 40-4-303
Montana Family Policy Act, 41-7-101, 41-7-102
Paternity, questions of, See **PARENT AND CHILD, Paternity proceedings**
Records, confidentiality, 40-4-303
Statute of limitations, tolling, 40-4-302
Youth court, See **YOUTH COURT**

FAMILY PLANNING
Clinics, contraceptive dispensation, 37-2-104, 37-7-103, 50-31-307
Services
  health maintenance organizations, basic health care services, 33-31-102
  MIAMI project services, 50-19-311
  programs for, 50-1-202

FAMILY POLICY ACT, Title 41, chapter 7, part 1

FAMILY PRACTICE TRAINING ACT OF 1985, 50-5-601 — 50-5-603, 50-5-611
See **PHYSICIANS AND SURGEONS, Family practice training program**

FAMILY SERVICES, DEPARTMENT OF
See also **EXECUTIVE BRANCH**
Adoption, duties, Title 40, chapter 8; Title 52, chapter 2, parts 4 and 5
Adult foster family care, Title 52, chapter 3, part 3
Advisory councils for youth services, Title 52, chapter 1, part 2
Aging and aged persons, services for, Title 52, chapter 3
Aging — Office of, Advisory Council on, and coordinator of, 2-15-231, 2-15-232
Aid to families with dependent children, Title 53, chapter 4
Battered spouses grant programs, Title 52, chapter 6, part 1, See **ABUSE**
Chemical dependency, administration of funds for treatment, 15-25-121, 15-25-122, 41-3-1103
Child abuse and neglect, Title 41, chapter 3; Title 52, chapter 2, part 1
Child care programs and services, Title 52, chapter 2, part 7, See **DAY CARE**
Child custody, duties, Title 40, chapters 4 and 7
Children's services, multiagency, Title 52, chapter 2, parts 2 and 3
Children's trust fund, Title 41, chapter 3, part 7, See also **CHILD ABUSE AND NEGLECT, Prevention program**
Child support, duties, Title 40, chapter 5
Child welfare services, Title 52, chapter 2, part 1
Community homes, duties, Title 52, chapter 4, part 2; Title 53, chapter 19, part 1, See PDISABLED PERSONS; **DEVELOPMENTALLY DISABLED PERSONS**
Correctional facilities, duties, Title 41, chapter 5; Title 52, chapter 5, See **YOUTH COURT**
Creation, 2-15-2401, 52-1-101
Delinquent youth, Title 41, chapter 5; Title 52, chapter 5, See **YOUTH COURT**
Developmentally disabled persons, services to, Title 52, chapter 4, part 1; Title 53, chapter 19
Director, 52-1-102
  appointment, 2-15-2401; Const., VI, 8
  confirmation by senate, Const., VI, 8
  department head, as, 2-15-2401
  developmental disabilities planning and advisory council, member, 2-15-2204
  indian child welfare specialist, appointment, 52-2-117
  local service areas, creation, 52-1-201
  state and local family services councils, duties, 52-1-202, 52-1-203
  state prevention programs, interagency coordinating council for — member of, 2-15-225
  term of office, Const., VI, 8
Disabled, services to, Title 52, chapter 4, part 2; Title 53, chapter 19, part 3, See **DISABLED PERSONS**
Duties generally, 52-1-103
Functions, 52-1-101, 52-1-103
Institutions within department
  enumeration, 52-1-105
  powers and duties generally, 52-1-103
  teachers employed by, statewide classification and pay plans, 2-18-103, 2-18-303, See also **PUBLIC OFFICERS OR EMPLOYEES, Compensation determination**
Interstate placement of children, authority, 52-1-103, 52-2-114; Title 41, chapter 4, part 1, See **MINORS**
Licensing of facilities, one-step licensing required, 50-8-101, 50-8-102
Montana Student Volunteer Program Committee, appointments to, 20-26-1409
Older Montanans, services for, Title 52, chapter 3, See **AGING AND AGED PERSONS**

FAMILY SERVICES, DEPARTMENT OF (Continued)

Ombudsman services, Title 52, chapter 3, part 6, See **ADULTS**
Paternity proceedings, duties, Title 40, chapter 6, part 1, See **PARENT AND CHILD**
Powers generally, 52-1-103
Public assistance, duties, Title 52, chapter 2, part 1; Title 53, chapter 6
Purpose, 52-1-101
Supervision, Const., VI, 8
Youth residential services, Title 41, chapter 3, part 11, See **CHILD ABUSE AND NEGLECT, Youth in need of care; YOUTH COURT, Youth in need of supervision**

FAMILY SUPPORT ACT, UNIFORM INTERSTATE, Title 40, chapter 5, part 1
See **CHILD SUPPORT; DISSOLUTION OF MARRIAGE**

FANTASY SPORTS LEAGUES, Title 23, chapter 5, part 8
See **GAMBLING**

FARM ANIMAL AND RESEARCH FACILITIES PROTECTION ACT, Title 81, chapter 30, part 1
See **ANIMALS**

FARMING AND FARMERS
See **AGRICULTURE**, generally

FEDERAL LIEN REGISTRATION ACT, UNIFORM, Title 71, chapter 3, part 2
See **LIENS, Federal liens**

FEES
See specific subject

FELONY MURDER RULE, 45-5-102

FENCES
Adjoining owners, duties, 7-15-4126, 70-16-205 — 70-16-210
Animal and research facilities protection, "notice" defined, 81-30-102
Barbed wire and other wire
- fallen
  - notice to owner, 81-4-106
  - nuisance, declared as, 81-4-105
  - sale of removed wire, 81-4-107, 81-4-108
- repairs required, 81-4-104, 81-4-106

"Barrier" defined, 23-2-301, See **RIVERS AND STREAMS, Recreational use**
Boundary fences, 7-15-4126, 70-16-205 — 70-16-210
Cattle guards
- county roads, 7-14-2130
- highways, 60-7-103
- legal fence, effect of construction, 81-4-102
- railroads
  - eminent domain for building, 70-30-301, 70-30-307
  - placement and maintenance, 69-14-701, 69-14-703, 69-14-706

Cemetery associations, sale of lots — use of proceeds, 35-20-214
City or town council, regulation when, 7-15-4126
Common occupancy, cessation, 70-16-208
Community decay, shielding, 7-5-2111
Conservation districts, land use regulations, 76-15-706
Construction, shared, 70-16-206 — 70-16-209
County roads
- encroachments, removal, 7-14-2134 — 7-14-2137
- livestock, control, 7-14-2130

Ditches, open, 7-31-4204

FENCES (Continued)

Easements for, 70-17-101
Entry upon land, requirements, 45-6-201, 77-1-806
Expenses, apportionment, 70-16-205, 70-16-207 — 70-16-210
Fur farms, 87-4-1003, 87-4-1012
Game animal farms, 87-4-409, 87-4-410, 87-4-422, 87-4-426, 87-4-427
Game bird farms, 87-4-904, 87-4-906, 87-4-913
Gates
  entry upon land, notice requirements, 45-6-201
  failure to close, 45-6-101
    wardens, fish and game — enforcement powers, 87-1-504, 87-1-505
  livestock
    county roads, control, 7-14-2130
    open range, stock gates or passes, 60-7-103
Grazing districts, within, Title 76, chapter 16, See **GRAZING DISTRICTS**
Highways, encroachment upon, See **HIGHWAYS, Encroachments**
Improvement, as, 15-1-101, 77-2-336, 77-6-112, 77-6-201, 77-6-212, 77-6-301
Irrigation ditches, 85-7-2211
Junk vehicles, to conceal, Title 75, chapter 10, part 5, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Graveyards and wrecking facilities**, shielding
Junkyards, screening, Title 75, chapter 15, part 2, See **JUNKYARDS**
Legal fences, 81-4-101
  car pass construction, effect on character, 81-4-102
  grazing districts
    farmland within, requirements, 76-16-322
    trespassing livestock, impoundment, 76-16-312
  railroads, maintenance, 69-14-701
  trespassing livestock, 76-16-312, 81-4-215, 81-4-217
Liability regarding, 69-14-701, 69-14-714, 81-4-103, 81-4-215, 81-4-217
Life tenants, duties, 70-16-103
Livestock
  barbed wire fences, See **Barbed wire and other wire**
  county roads, control, 7-14-2130
  highways, grazing on, 60-7-201, 60-7-202
  injury to, liability, 69-14-701, 69-14-714, 81-4-103, 81-4-104
  open range for, 60-2-208, 60-7-102, 60-7-103, 81-4-203, 81-4-501
  trespassing, 76-16-312, 81-4-215 — 81-4-217
Maintenance
  coterminous owners, 70-16-205, 70-16-206, 70-16-208, 70-16-209, 70-17-101
  county commissioners, board of, 7-14-2130
  execution, redemption — waste of property, 25-13-823
  grazing districts, 76-16-320
  liability, 69-14-701, 69-14-714, 81-4-103
  railroads, 69-14-701, 69-14-714
  wildlife habitat, acquisition policies, 87-1-241
Mausoleums and columbariums, damage or destruction in, 35-21-704
Mines and mining, reclamation, 82-4-233, 82-4-336
Motor vehicle graveyards and wrecking facilities, shielding from public view, Title 75, chapter 10, part 5, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Graveyards and wrecking facilities**, shielding
Open ditches, 7-31-4204
Open range for livestock, 60-2-208, 60-7-102, 60-7-103, 81-4-203, 81-4-501
Partition fences, 7-15-4126, 70-16-205 — 70-16-210
Previously enclosed lands, required for, 70-16-206
Prison fence, inmate housing outside when, 53-30-141

FENCES (Continued)

Railroads
  eminent domain by, provision, 70-30-301, 70-30-307
  livestock protection, maintenance for, 69-14-701 — 69-14-706, 69-14-714
Rangeland improvement loan program, 76-14-111
Rebuilding, 70-16-209
Removal
  agreement, 70-16-206
  county roads, encroachments, 7-14-2134 — 7-14-2137
  notice, 70-16-210
  state lands, by purchaser after default, 77-2-332
Repair, 70-16-103, 70-16-206, 70-16-209, 81-4-104
Required when, 70-16-206
State lands
  lessees, opening or moving when, 77-2-107
  liens, 77-2-336, 77-6-112
  purchaser, removal of fence after default, 77-2-332
  recreational use requirements, 77-1-806
  surface leases, improvements and management, 77-6-201, 77-6-212, 77-6-301
Stream access law, Title 23, chapter 2, part 3, See **RIVERS AND STREAMS, Recreational use**
Transfers of real property, 15-7-303, See **TAXATION, PROPERTY, Transfers of real property**
Well or other hole, failure to fence, 45-8-113
Wire, See **Barbed wire and other wire**

FERRIES AND WHARVES
  See also **WATER, Navigable waters**
Bond requirements, 7-14-2805, 7-14-2823, 7-14-2827
Carriers
  freight, delivery, 69-11-404
  passenger, time schedule — establishment, 69-11-202
Cities and towns, 7-14-2804, See also **CITY FINANCE, Bond issues; Indebtedness**
Construction
  cost, report, 7-14-2828
  financing, See **CITY FINANCE, Bond issues; Indebtedness**
  generally, 7-14-2803, 7-14-2804, 7-14-2823
  joint ferries, 7-14-2802
  lakes, construction on, See **LAKES, Shore protection**
  land acquisition for, 7-14-2829, See also **Property**
  landowner, preference for, 7-14-2824, 85-16-101, 85-16-103
  who may build, 85-16-101, 85-16-103
County license, 7-14-2823, 7-14-2830
County-owned, 7-14-2805
Existing ferries, establishment near, 7-14-2825
Ferry and bridge fund, combined, 7-14-2502, 7-14-2807
Ferrymen
  banks of streams, upkeep, 7-14-2826
  bond requirements, 7-14-2827
  county-owned ferries, 7-14-2805
  joint ferries, 7-14-2802
  reports, 7-14-2802, 7-14-2828
  rules governing, 7-14-2826
Free ferries, 7-14-2803, 7-14-2805
Hearings, 7-14-2823
Insurance against loss or damage to wharves, See **INSURANCE, MARINE**, generally

FERRIES AND WHARVES (Continued)

Interpretation of laws, 85-1-103
Joint ferries, 7-14-2802
Landings and approaches
  acquisition and maintenance, 7-14-2802 — 7-14-2804
  banks, upkeep, 7-14-2826
  tolls, rates to be posted, 7-14-2806
Laying out, 7-14-2801
Lease, 7-14-2805, 7-14-2806
Maintenance, 7-14-2801 — 7-14-2803
Management and control, 7-14-2801, 7-14-2803, 7-14-2805
Navigable waters as public ways, 85-1-111, See **WATER, Navigable waters**
Nighttime trips, 7-14-2826
Notice of application to operate, 7-14-2821 — 7-14-2823, 7-14-2825
Penalties for violations, 7-14-2826, 7-14-2831
Petition for establishment and operation, 7-14-2803
Policy of state, 85-1-103
Property
  acquisition for, 7-14-2803, 7-14-2804, 7-14-2829
  eminent domain for, 7-14-2803, 7-14-2804, 7-14-2829, 70-30-102, 70-30-103, See also EMINENT DOMAIN
  "land under water" defined, 85-16-104
  owners' rights, 7-14-2824, 85-16-101, 85-16-103
  state lands under water, 85-16-101, 85-16-103, 85-16-104
  title to land not affected, 85-16-103
Public use of docks and wharves, 85-16-102
Repairs, 7-14-2807, 7-14-2828
Right-of-way, acquisition, 7-14-2829
Rules, 7-14-2806, 7-14-2826
Size of dock or wharf, 85-16-101
Steamboats, 7-14-2826
Tax
  assessment, 15-8-405
  levy, 7-14-2801, 7-14-2807
  license, 7-14-2823, 7-14-2830
Toll ferries
  establishment, 7-14-2803, 7-14-2805, 7-14-2825
  operation, notice of application, 7-14-2821, 7-14-2822
    hearing and decision, 7-14-2823
  rates, 7-14-2806, 7-14-2823, 7-14-2826
  reports, 7-14-2828
  rules, 7-14-2826
  term of operation, 7-14-2823
Toll for use of dock or wharf, 85-16-102
Uniting two counties, construction and maintenance, 7-14-2802

FICTITIOUS NAMES
  See ASSUMED OR FICTITIOUS NAMES

FIDUCIARIES
Action against, demand prerequisite, 27-2-301
Agricultural loan guaranty fund held by, 80-12-216
Alcoholic beverages, employees of departments of justice and revenue — conflict of interest, 16-1-304
Art dealer-artist relationship, 22-2-504
Blood or urine testing as condition for employment, 39-2-304

FIDUCIARIES (Continued)

Cigarettes
    sales, 16-10-103, 16-10-304
    tax, "person" defined, 16-11-102
Common trust funds, Title 32, chapter 1, part 7
Confidential employment, applicability of laws, 39-2-103
Conservators, as, 72-5-423, See **ESTATES AND PROBATE, Conservators and conservatorship**
Contracts, undue influence of fiduciary, 28-2-407
Conveyances
    by, validation, 72-31-103
    to, 70-21-307
Corporations, See **CORPORATIONS**
Corporation as, oath, 72-31-101
Debt adjustment by, 31-3-203
Deeds by, validation, 72-31-103
Defined, 3-7-401, 72-1-103
Demand necessary to accrual of action, 27-2-301
Economic development bonds, investment, 17-5-1525
Finders as, 70-5-101, 70-5-102, 70-9-206
Foreign trust companies, 32-1-1001 — 32-1-1007
Fraudulent transfers, Title 31, chapter 2, part 3
Guardians, See **GUARDIANS AND GUARDIANSHIP**, generally
Health Facility Authority bonds, investment in, 90-7-113
Health maintenance organizations, personnel — responsibilities, 33-31-223
Homeowners' loan corporation bonds, investment in, 72-31-102
Housing authority bonds, investment, 7-15-4505
Income tax, individual — estates or trusts, See **TAXATION, INDIVIDUAL INCOME, Estate or trust income**
Inheritance tax, alternate valuation — eligible qualified heir, 72-16-345, See also **TAXATION, ESTATES**
Insurance, 33-1-206, See **INSURANCE, CASUALTY, Professional liability**
Insurance producers
    administrators, fiduciary accounts, 33-17-613
    premiums, accountability, 33-17-1102, 33-25-201
    title insurance producers
        accounts, maintenance, 33-25-201
        examinations, 33-17-213
Insurers
    domestic stock and mutual, membership, 33-3-503
    managing general agents, 33-2-1602
    reciprocal, exchange of interinsurance contracts, 33-5-503
    rehabilitation
        breach of fiduciary obligation, 33-2-1333
        grounds for, 33-2-1331
    reinsurance intermediaries, 33-2-1702, 33-2-1705
Justices' courts, party in, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A
Lease contracts, injury to goods — actions against third parties, party plaintiff, 30-2A-531
Legislators as, 2-2-103, 2-2-104, 2-2-111
Limited liability companies, execution of documents, 35-8-204
Limited partnerships
    certificates, filing requirements, 35-12-606
    estate, distribution of interest in partnership, 35-12-802
Misappropriation of funds, subject to arrest, 27-16-102
Motor fuel marketing, retail — below-cost sale exception, 30-14-804
Municipal finance consolidation notes or bonds, investments in, 17-5-1628

FIDUCIARIES (Continued)

Neglect of duty, 27-16-102, 72-16-609
Negotiable instruments, 30-3-102, 30-3-308
  breach of duty, notice, 30-3-205, 30-3-308
  restrictive endorsement, 30-3-205
Nonprofit corporations
  documents, execution, 35-2-119
  members, as, 35-2-542
Oil and gas conservation, "person" defined, 82-11-101
Partnerships, duty of partners to each other, 35-10-405
Perpetuities, statutory rule against — exclusions, 72-2-1005
Personal representatives, 72-3-610, See **ESTATES AND PROBATE**
Power of attorney, statutory — authority, 72-31-201, 72-31-231
Public obligations, registration of — depositories, 17-5-1121
Public officers and employees as fiduciaries, 2-2-103, 2-2-104, 2-2-121, 2-2-125, 2-2-131
Public servant, fiduciary defined as, 45-2-101, See **CRIMES**, **Public officers and employees**
Real property
  conveyance without trust conditions, 70-21-307
  deeds by, validation, 72-31-103
  transfers, 15-7-303, See **TAXATION, PROPERTY**, **Transfers of real property**
Sales, casualty to goods — third party actions, 30-2-722
Securities
  conversion, 30-8-318
  deposit of, 32-1-425 — 32-1-427
  endorsement, 30-8-308, 30-8-402, 30-8-403
  transfer, See **SECURITIES AND SECURITIES REGULATION**, **Fiduciary transfers**
Surety bonds, depository for money or assets, 33-26-107
Theft involving, statute of limitation, 45-1-205
Treasury funds
  fiduciary fund category, 17-2-102
  investment funds, 17-6-203
Trustees, See **TRUSTS**, generally
Unclaimed property held by, 70-5-101, 70-5-102, 70-9-206
Undue influence by, 28-2-407
Uniform Act for the Simplification of Fiduciary Security Transfers, Title 30, chapter 10, part 4
Urban renewal bonds, investment, 7-15-4306
Urine or blood testing as condition for employment, 39-2-304
Water conservancy districts, owners of title to property, 85-9-103
Water judges or water masters, 3-7-401, 3-7-402

FIDUCIARY SECURITY TRANSFERS, UNIFORM ACT FOR THE SIMPLIFICATION OF, Title 30, chapter 10, part 4
  See **SECURITIES AND SECURITIES REGULATION**, **Fiduciary transfers**

FINANCE COMPANIES
  See **CONSUMER LOAN BUSINESSES**; **CREDIT TRANSACTIONS**, **Retail installment sales**; **INSURANCE**, **Premium finance companies**; **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, **Manufacturers, distributors, and importers**, financing sale of vehicles

FINANCIAL INSTITUTIONS
  See **BANKS AND TRUST COMPANIES**; **BUILDING AND LOAN ASSOCIATIONS**; **CAPITAL COMPANIES**; **CONSUMER LOAN BUSINESSES**; **CREDIT UNIONS**; **DEVELOPMENT CORPORATIONS**

FINES
  See also specific subject area
Excessive fines prohibited, Const., II, 22

FINGERPRINTS
Alcoholic beverage licenses, required when, 16-4-403
Concealed weapons, permits to carry — requirement, 45-8-322
Contract security company license applicants, 37-60-304
Criminal information and identification, See **CRIMINAL JUSTICE INFORMATION**
Criminal proceedings, discovery, 46-15-323
Developmentally disabled persons in residential facilities, 53-20-143
Elections, precinct register — method of signing, 13-13-114
Local records, 44-2-202
Lottery, state
  appointees, employees, or licensees, 23-7-306
  gaming suppliers, 23-7-310
Mentally ill persons, institutionalized, 53-21-143
Peace officers, qualification for employment, 7-32-213, 7-32-303
Private investigator license applicants, 37-60-304
Private security guard license applicants, 37-60-304
Proprietary security organization license applicants, 37-60-304
Public safety communications officers, qualification for appointment, 7-31-202
State Bar of Montana, applicants for admission, 44-5-302
Youth court, order for and records, 41-5-304, 41-5-604

FIREARMS
  See **WEAPONS**

FIRE DEPARTMENT RELIEF ASSOCIATIONS
  See also **FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM; VOLUNTEER FIREFIGHTERS' COMPENSATION**
Accounts, review, 19-18-204
Adjustment payments, 19-15-101, 19-15-102
Audits, Title 2, chapter 7, part 5
Benefits
  adjustment payments, 19-15-101, 19-15-102
  allowable, 19-18-601
  applications, 19-18-611
  bankruptcy, exemption, 31-2-106
  beneficiary, designation, 19-18-607
  claim procedures, 19-18-611
  death benefits, 19-18-605, 19-18-607
  disability pension
    computation, 19-18-604
    eligibility, 19-18-604
  discrimination based on sex or marital status prohibited, 49-2-309
  estate of member, payment to, 19-18-607
  funds for, 19-18-203
  general provisions, 19-18-601
  judicial officer as attorney in actions concerning, prohibited, 3-1-601
  legal process, exempt from, 19-18-612
  nonassignability, 19-18-612
  partial service pension
    computation, 19-18-603
    eligibility, 19-18-502, 19-18-603

FIRE DEPARTMENT RELIEF ASSOCIATIONS (Continued)
Benefits (Continued)

- service pension, computation and eligibility, 19-18-602
- supplemental, 19-18-606
- surviving spouse and children, to, 19-18-605
- tax exemption, 19-18-612, See also **TAXATION, INDIVIDUAL INCOME, Exemptions**
- volunteer firefighters, applicability, 19-18-602, 19-18-604 — 19-18-606

Board of trustees, See also **Officers**
- benefits
  - applications and claims, 19-18-611
  - payment, reports, 19-15-101
- composition, 7-33-4109, 19-18-104
- election, 19-18-103
- investments by, 19-18-402
- local government consolidation, effect, 19-18-107
- management vested in, 19-18-401
- municipal commission-manager government, applicability of provisions, 7-3-4464
- reports by, 19-18-204, 19-15-101

Bonding requirements, 19-18-202
City clerk, annual reports by, 19-18-511
Commerce, Department of
- authority, 19-18-206
- financial report, copy to, 19-18-205
- investments, advice concerning, 19-18-403

Contributions
- firefighters
  - rate, 19-18-501
  - refunds, 19-18-502
- state, 19-18-501
  - amount, 19-18-512
  - transfer, 19-18-513
  - warrants for, 19-18-514

Death
- benefits, 19-18-605, 19-18-607, See also **Benefits**
- funeral expenses, benefits, 19-18-601
- insurance coverage providing compensation, 19-18-203
- partial service pension, 19-18-603
- supplemental benefits, 19-18-606

Definitions, 19-18-101, 19-18-403, 19-15-102
Dependent child, benefit payments, 19-18-203, 19-18-502, 19-18-601, 19-18-603, 19-18-605 — 19-18-607
Disability and pension fund
- bank depository securities, protection as, 19-18-208
- contributions to, See **Contributions**
- defined, 19-18-101
- establishment, 19-18-105
- gifts and donations, 19-18-501
- investment, 19-18-203, 19-18-402, 19-18-403
- local government consolidation, effect, 19-18-107
- management, 19-18-201
- mishandling, 19-18-206
- payments from, 19-18-602, 19-18-604, 19-18-611
- protection, 19-18-208
- source of money, 19-18-501
- tax levy for, 7-3-4464, 7-6-4453, 19-18-501
  - amount, 19-18-504
  - required, 19-18-503

FIRE DEPARTMENT RELIEF ASSOCIATIONS (Continued)
Disability and pension fund (Continued)

  theft, penalty, 19-18-207
  transfer of money to, 19-18-106
  use, 19-18-203
Disability pension, 19-18-604, See also **Benefits**
Discrimination based on sex or marital status prohibited, 49-2-309
Fine for violations, 19-18-207
Financial reports, 19-18-205; Title 2, chapter 7, part 5
Firefighters' unified retirement system, responsibilities, See **FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM**
Formation, 19-18-102
Fund, See **Disability and pension fund**
Incorporation, 19-18-102
Local government consolidation, effect on fund, 19-18-107
Management, 19-18-401
  funds, See **Disability and pension fund**
Marital status, discrimination based on prohibited, 49-2-309
Membership, eligibility, 19-18-102
Municipal commission-manager government, applicability of provisions, 7-3-4464, 7-3-4466
Officers, See also **Board of trustees; Treasurer**
  benefit claim procedures, 19-18-611
  generally, 19-18-103
  reports by, 19-18-205
Partial service pension, 19-18-502, 19-18-603, See also **Benefits**
Pension fund, See **Disability and pension fund**
Public Employees' Retirement Board, adjustment payments — duties, 19-15-101, 19-15-102
Reports
  board of trustees, by, 19-18-204, 19-15-101
  city clerk, by, 19-18-511
  financial, 19-18-205; Title 2, chapter 7, part 5
  secretary and treasurer, by, 19-18-205
Service pension, 19-18-602, See also **Benefits**
Sex, discrimination based on prohibited, 49-2-309
Surviving spouse, benefit payments, 19-18-203, 19-18-502, 19-18-601, 19-18-603, 19-18-605 — 19-18-607
Tax levy for fund, See **Disability and pension fund**
Treasurer, See also **Officers**
  annual report, 19-18-205
  benefit claim procedures, 19-18-611
  bonding requirements, 19-18-202
  city treasurer, transfers from, 19-18-106, 19-18-606
  disability and pension fund, duties, See **Disability and pension fund**, generally
  mishandling of funds, 19-18-206
  state payment amounts reported to, 19-18-606
  supplemental pensions, funds for, 19-18-606
Unified retirement system, responsibilities, See **FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM**
Violations, 19-18-207

FIRE DEPARTMENTS AND FIREFIGHTERS
Age requirements for firefighters, 7-33-4107
Alarms, See **FIRES AND FIRE PROTECTION**
Anatomical gift donors, search for document of gift or evidence of refusal, 72-17-213
Appointment of firefighters, 7-3-4466, 7-33-4106, 7-33-4122

FIRE DEPARTMENTS AND FIREFIGHTERS (Continued)

Arbitration for firefighters, 39-34-101 — 39-34-106, See also **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING, Arbitration**
Asbestos regulations, notice when demolition of building, 50-64-104
Charges against personnel, writing required, 7-33-4124
Chief engineer, 7-33-2315, 7-33-4105
Chiefs of departments, 7-33-4103
- absence, 7-33-4104
- appointment, 7-33-4106, 7-33-4122
- assistant chiefs, 7-33-4103
  - appointment, 7-33-4106, 7-33-4122
  - city officers, not considered as, 7-33-4113
  - compensation, 7-33-4127
  - duties, 7-33-4104
  - firefighters, suspension, 7-33-4123, 7-33-4124
  - probationary period, 7-33-4122
  - reinstatement, 7-33-4124
  - removal, 7-33-4124
  - suspension, 7-33-4123, 7-33-4124
- attendance at fires, 7-33-2313
- authority, 7-33-4104
- badge of office, display, 7-33-2313
- city council, election by, 7-3-4254
- city-county consolidated government, director of police department, 7-3-1345
- city officers, not considered as, 7-33-4113
- compensation, 7-33-2313, 7-33-4127
- disciplinary rules, establishment, 7-33-4104
- duties, 7-4-4110, 7-33-2313, 7-33-2315, 7-33-4104
- employees, discharge, 7-3-4259
- fire companies
  - duties, 7-33-2313, 7-33-2315
  - fire control powers and liability, 7-33-2208
- fire department relief association board of trustees, ex officio member, 19-18-104
- fire engines and apparatus, responsibility, 7-33-4104
- firefighters
  - exempt certificates, 7-33-2315
  - private vehicles, use of red light — authorization, 61-9-227
  - suspension, 7-3-4259, 7-33-4123, 7-33-4124
  - training programs, 7-33-2313
  - volunteer, supervision, 7-33-4109
- fire services training advisory council, membership, 2-15-1519
- fireworks displays, supervision, 50-37-107
- hazardous chemicals, duties, 50-78-102, 50-78-301
- hazards
  - inspection by, 50-62-101
  - order to repair hazardous condition or demolish structure, 50-62-103, 50-62-106
    - answer, service upon fire chief, 50-62-104
    - enforcement, 50-62-107
    - hearing, 50-62-106
    - salvage sale, conduct, 50-62-107
- inspections, 7-33-2313, 50-61-114, 50-61-115, 50-62-101, 50-78-301, 75-11-213
- investigation of fires, 7-33-2313, 50-63-202
- municipal commission government, 7-3-4254, 7-3-4259
- municipal commission-manager government, 7-3-4466
- neglect of duty, 7-33-4123

FIRE DEPARTMENTS AND FIREFIGHTERS (Continued)
Chiefs of departments (Continued)

- ordinances
  - duties of chief prescribed by, 7-4-4110
  - enforcement and reporting of violations, 7-33-2313
- power, 7-33-4104
- probationary period, 7-33-4122
- property
  - city and town, responsibility for, 7-33-4104
  - rescued from fires, 7-33-2313
- records, 7-33-2313
- reinstatement, 7-33-4124
- removal, 7-33-4124
- rural, 7-33-2202 — 7-33-2204, 7-33-2208
- suspension, 7-33-4123, 7-33-4124
- tenure in office, 7-3-4254
- training programs, formulation, 7-33-2313
- underground storage tank installations or closures, inspection, 75-11-213
- volunteer firefighters, supervision, 7-33-4109

City-county consolidated governments, 7-3-1248, 7-3-1345, 7-33-2110, 7-33-2316, 7-33-4131, 19-18-107
City departments, See **Municipal departments**
City electricians, departments to include, 7-33-4103, 7-33-4127
City officers, personnel not considered as, 7-33-4113
Civil defense, responsibility, 10-3-102, See **EMERGENCIES AND EMERGENCY POWERS**, generally
Collective bargaining for firefighters, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING, Firefighters**
Compensation
- chiefs of departments, 7-33-2313, 7-33-4127
- firefighters, 7-33-4124, 7-33-4127
  - minimum wages, 7-33-4128
  - overtime compensation exclusions, 39-3-406
  - partial payment when injured in performance of duty, 7-33-4133
  - volunteers, 7-33-4109

County
- rural fire chiefs, 7-33-2202 — 7-33-2204, 7-33-2208
- volunteer fire companies, 7-33-2202

Demolition of buildings
- notice to fire department, 50-64-104
- order by fire chief, 50-62-103

Disasters, 10-3-102, 10-3-103, See **EMERGENCIES AND EMERGENCY POWERS**, generally
Emergencies, responsibilities, 10-3-102, 50-78-301, See generally **EMERGENCIES AND EMERGENCY POWERS; EMERGENCY MEDICAL SERVICES**
Emergency medical services personnel, firefighters as, See **EMERGENCY MEDICAL SERVICES**, generally
Emergency medical technicians, 50-6-202, See **EMERGENCY MEDICAL SERVICES**
Emergency vehicles, authorized, See **Fire engines and apparatus**; See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Authorized emergency vehicles**
Execution, exemption, 25-13-613
Exemptions for firefighters, 7-33-2314, 7-33-2315
Exposure to infectious disease, 50-16-701 — 50-16-705, See also **EMERGENCY MEDICAL SERVICES**
Fire alarm system, 7-33-4201
Fire companies
- appropriation to, 7-6-2218

FIRE DEPARTMENTS AND FIREFIGHTERS (Continued)
Fire companies (Continued)

- authorization, 7-33-2311
- bond required when, 7-33-2312
- bylaws, 7-33-2312, 7-33-2315
- certificate members, number allowed, 7-33-2311
- certificate of organization, 7-33-2311
- certificates of membership, 7-33-2312, 7-33-2315
- chief engineer, 7-33-2315, 7-33-4105
- city-county consolidation, effect, 7-33-2110, 7-33-2316
- county appropriation to, 7-6-2218
- county volunteer fire companies, 7-33-2202
- exempt certificates, 7-33-2312, 7-33-2315
- exemptions for firefighters, 7-33-2314, 7-33-2315
- fire chief
  - duties, 7-33-2313, 7-33-2315
  - fire control powers and liability, 7-33-2208
- foreman, 7-33-2311, 7-33-2312, 7-33-2315
- group insurance, 19-17-103
- liability
  - emergency care, 27-1-714
  - fire reports, delays in receiving and transmittal, 7-33-4114
  - fire suppression actions, 7-33-2208
- meetings, 19-17-105
- municipal department provisions, nonapplicability, 7-33-4110
- number allowed, 7-33-2311
- organization, 7-33-2311, 7-33-2312
- penalties for offenses, 7-33-2312
- presiding officer, 7-33-2311, 7-33-2312
- public fund deposits or investments, crediting of interest, 7-6-204
- records, 7-33-2313, 7-33-2315
- refusal to fight fire on nonsubscriber property, effect, 27-1-714
- rural fire districts
  - appointment and formation, 7-33-2105
  - audits, Title 2, chapter 7, part 5
  - contracts for services, 7-33-2104, 7-33-2107, 7-33-2109
- seal, 7-33-2312, 7-33-2315
- secretary, 7-33-2311, 7-33-2312, 7-33-2315
- supervision, 7-33-4105
- training programs, 7-33-2313, 19-17-105
- treasurer, 7-33-2312
- volunteer, 7-33-2110, 7-33-2202, 7-33-2316
- workers' compensation coverage and effect on retirement benefits, 19-17-501, 39-71-118, 39-71-123
- writing required when, 7-33-2311

Fire engines and apparatus, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Authorized emergency vehicles**

- approach of, operation of vehicles upon, 10-1-602, 61-8-346
- audible and visual signals, 61-8-107, 61-8-346, 61-9-401, 61-9-402
- "authorized emergency vehicle" defined, 61-1-119
- chief engineer, management and control, 7-33-4105
- cities and towns, regulation — exemption, 7-14-4103
- city or town council, authority, 7-33-4202
- commercial motor vehicle, exception, 61-1-134
- execution, exemption, 25-13-613
- fire chief, responsibility, 7-33-4104
- flashing lights, 61-9-226, 61-9-402

FIRE DEPARTMENTS AND FIREFIGHTERS (Continued)
Fire engines and apparatus (Continued)

- following prohibited, 61-8-363
- on-scene command and control vehicles, designation, 61-9-402
- private vehicles, use of red light, 61-9-227
- public officers and employees, exceptions, 61-8-106, 61-9-106
- red lights, use, 61-9-227, 61-9-402
- reports concerning, 19-18-511
- signal lamps, 61-9-402
- sirens, whistles, or bells, 61-8-346, 61-9-401, 61-9-402
- traffic regulations, exemptions, 61-8-107, 61-8-201
- warning lamps, 61-9-226, 61-9-402

Fire hoses
- city or town council, authority, 7-33-4202
- execution, exemption, 25-13-613
- reports concerning, 19-18-511
- vehicles crossing, 61-8-364

Fire hydrants
- maintenance districts, Title 7, chapter 12, part 46, See **CITIES AND TOWNS**
- vehicles — stopping, standing, or parking distance requirement, 61-8-354

Fire prevention programs, 50-3-102
Fire Services Training Advisory Council, membership, 2-15-1519
Fireworks displays, supervision, 50-37-107
Group insurance for firefighters, 7-33-2110, 7-33-2316, 7-33-4130, 19-17-103
Hazardous chemicals, duties of fire chiefs, 50-78-102, 50-78-301
Hazardous material incidents, recovery of costs, 75-10-716, 75-10-717
Hazard removal, See **Chiefs of departments**, hazards
Hearings when, 7-33-4123
Hook-and-ladder houses or trucks, 7-33-4202, 19-18-511, 25-13-613
Hours of work, firefighters, 7-33-4128, 39-4-107
Infectious disease, exposure to, 50-16-701 — 50-16-705, See also **EMERGENCY MEDICAL SERVICES**
Inspections by, 7-33-2313, 7-33-4105, 50-61-114, 50-61-115, 50-62-101, 50-78-301, 75-11-213
Investigation of fires, 7-33-2313, 50-3-102, 50-63-202 vehicles — stopping, standing, or parking distance requirement, 61-8-354
Justice, Department of — assistance from, 50-3-102
Medical assistance by firefighters, 19-17-105, 27-1-714, See also **EMERGENCY MEDICAL SERVICES**
Military
- duty, firefighters exempt when, 7-33-2314, 7-33-2315
- right-of-way not to interfere with, 10-1-602

Municipal departments
- applicability of provisions, 7-33-4102
- appropriation to, 7-6-2218
- authorization, 7-33-4101, 7-33-4201
- chief, See **Chiefs of departments**
- chief engineer, 7-33-4105
- city electrician, inclusion, 7-33-4103, 7-33-4127
- command and control, 7-33-4101, 7-33-4104
- composition, 7-33-4103
- county appropriation to, 7-6-2218
- discipline, 7-33-4104
- employment of personnel, 7-33-4105
  - rules governing, 7-33-4121
- establishment, 7-33-4101, 7-33-4201
- fire companies, nonapplicability of provisions, 7-33-4110
- fire engines and apparatus, 7-33-4104, 7-33-4105

FIRE DEPARTMENTS AND FIREFIGHTERS (Continued)
Municipal departments (Continued)

  fire reports, liability for delays in receiving and transmittal, 7-33-4114
  maintenance, 7-33-4105
  management, 7-33-4101
  municipal commission government, 7-3-4254, 7-3-4256, 7-3-4259, 7-33-4102
  municipal commission-manager government, 7-3-4464, 7-3-4466
  organization, 7-33-4101, 7-33-4104
  property of city or town furnished to, 7-33-4104
  required, 7-33-4101
  supplementary volunteer department, See **Volunteer departments**
Mutual aid agreements, 7-3-1345, 7-33-2202, 7-33-4112; Title 10, chapter 3, part 11
Neglect of duty by firefighter, 7-3-4259, 7-33-4123
9-1-1 emergency telephone system, Title 10, chapter 4, parts 1 — 3
Number of firefighters in department, 7-33-4103
  reduction or increase, 7-33-4125
Officers of departments, 7-3-4254
Ordinances, fire, 7-33-2313
Organ donors, search for document of gift or evidence of refusal, 72-17-213
Overtime compensation exclusions, firefighters, 39-3-406
Parade assistance by firefighters, 19-17-105
Parking commissions, cooperation with, 7-14-4632
Penalties, offenses by personnel, 7-33-4124
Physical examinations of firefighters, writing required, 7-33-4107, 7-33-4108
Private vehicles, firefighters — use of red light, 61-9-227, 61-9-514
Privileges of firefighters, 7-33-2314
Probationary period for personnel, 7-33-4122
Property
  city or town, responsibility for, 7-33-4104
  rescued from fires, 7-33-2313
"Public servant", firefighter defined as, 45-2-101, See **CRIMES, Public officers and employees**
Public service activities by firefighters, 19-17-105
Qualifications for firefighters, 7-33-4107
Reduction in number of firefighters, 7-33-4125
Reinstatement of personnel, 7-33-4124
Relief associations, See **FIRE DEPARTMENT RELIEF ASSOCIATIONS**
Removal of personnel, 7-33-4124
Reports of fires, liability for delays in receiving and transmittal, 7-33-4114
Retirement, 7-33-4125, See also **FIRE DEPARTMENT RELIEF ASSOCIATIONS; FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM; VOLUNTEER FIREFIGHTERS' COMPENSATION**
Rules of departments, 7-33-4123
Rural
  district fire chiefs, 7-33-2202, 7-33-2204
  fire chiefs, 7-33-2202, 7-33-2203, 7-33-2208
  fire control crews, 7-33-2202
  voluntary urban crews, use in rural areas, 7-33-2207
Salaries, See **Compensation**
School fire drills or fires, 20-1-405, 20-1-407
Search and rescue assistance by firefighters, 19-17-105
Seniority, firefighters — effect, 7-33-4125
State firefighters, 77-5-103
Suspension of personnel, 7-3-4259, 7-33-4123, 7-33-4124
Taxation
  exemption for firefighters when, 7-33-2314

FIRE DEPARTMENTS AND FIREFIGHTERS (Continued)
Taxation (Continued)

- levies
  - group insurance for firefighters, 7-33-4130
  - volunteer departments, for, 7-33-4111

Telephone party line or public telephone, failure to yield to permit emergency call, 45-8-114
Temporary service, firefighters, 7-3-4466
Traffic regulations, exemptions, 61-8-107, 61-8-201, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, generally
Training programs for firefighters, 7-33-2313, 19-17-105
Training school, Title 20, chapter 31, See **FIRE SERVICES TRAINING SCHOOL**
Transportation for firefighters, free or reduced rates, 7-3-4256, 7-3-4367, 69-11-208
Unincorporated cities and towns, See **Fire companies**
Unions, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING, Arbitration; Firefighters**
University system

- students' rooms, emergency entry, 20-25-513
- tuition waiver for survivors of firefighter, 20-25-421

Vehicles, See **Fire engines and apparatus**; See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Authorized emergency vehicles**
Voluntary urban fire crews, use in rural areas, 7-33-2207
Volunteer departments

- audits, Title 2, chapter 7, part 5
- authorization, 7-33-4109
- city-county consolidation provisions, 7-3-1345, 7-33-2110, 7-33-2316
- county, 7-33-2202
- creation or dissolution, 7-3-1345
- duties of firefighters, 19-17-105
- financing, 7-3-1345
- fire reports, liability for delays in receiving and transmittal, 7-33-4114
- insurance, blanket disability, 33-22-601, See **INSURANCE, DISABILITY**
- liability, 7-33-2208, 27-1-714
- management and organization, 7-3-1345
- mutual aid agreements, 7-3-1345, 7-33-2202
- second class cities, 7-33-4109
- tax levy for, 7-33-4111
- workers' compensation coverage and effect on retirement benefits, 19-17-501, 39-71-118, 39-71-123

Volunteer firefighters, 7-33-4109, 19-17-105

- defined, 39-71-118
- fire services training advisory council, membership, 2-15-1519
- liability for emergency care, 27-1-714
- workers' compensation coverage and effect on retirement benefits, 19-17-501, 39-71-118, 39-71-123

Volunteer Firefighters' Compensation Act, Title 19, chapter 17, See **VOLUNTEER FIREFIGHTERS' COMPENSATION**
Volunteer rural fire control crews, 7-33-2202, 7-33-2208

FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM
Actuarial valuations, 19-13-212
Administration, Title 19, chapter 2, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**
Benefits

- alternate payees, 19-2-907
- adjustments, 19-13-1007
- bankruptcy, exemption, 31-2-106
- cities, annual payments, 19-13-212

FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM (Continued)
Benefits (Continued)

- compensation limit, 19-2-1005
- death, See **Death benefits**
- disability retirement, See **Disability retirement benefits**
- discrimination based on sex or marital status prohibited, 49-2-309
- distributions, required, 19-2-1007
- forfeitures, use prohibited, 19-2-1006
- inadequate funding, 19-13-212, 19-13-1009
- judicial officer as attorney in actions concerning, prohibited, 3-1-601
- service retirement, See **Service retirement benefits**
- supplements, 19-13-1006, 19-13-1009
- survivor, 19-13-902, 19-13-1007
- tax exemption when, 19-2-1004
- workers' compensation, effect, 19-2-905

Citation of Montana Firefighters' Unified Retirement Act, 19-13-101
Cities
- benefits, annual payments to fund, 19-13-212
- inactive member, reinstatement procedures, 19-13-805
- ordinance stating election to join, 19-13-211
- unfunded liabilities, determination, 19-13-213

Credited service, See **Service credits**
Death, See also **Death benefits**
- disability payments, continuance, 19-13-803
- insurance coverage for accidental death, 19-13-601
- service retirement benefits, effect on, 19-13-704

Death benefits, See also **Benefits**
- absence of spouse or child, payment in, 19-13-903
- adjustment, 19-13-1007
- distributions, required, 19-2-1007
- estate, payment to — when, 19-13-903
- service retirement benefits, effect of death of member, 19-13-704
- survivorship benefits, 19-13-902

Definitions, 19-2-303, 19-13-104, 19-13-214
Dependent child
- benefits, payment, 19-13-704, 19-13-803, 19-13-902, 19-13-903, 19-13-1006, 19-13-1007, 19-13-1009
- defined, 19-13-104

Disability retirement benefits
- adjustment, 19-13-1007
- amount, 19-13-803
- cancellation, 19-13-804
- eligibility, 19-13-802
- medical examinations, 19-13-804
- reinstatement upon cancellation, 19-13-805

Discrimination based on sex or marital status prohibited, 49-2-309
Election to join, 19-13-211
Employer contributions
- amount, 19-13-605
- offsets when, 19-13-211
- other money for, 19-13-607
- public service employment, for qualification of service in, 19-13-404
- tax for, 19-13-214
- termination, 19-13-212

Employers, 19-13-104
- disability retirement benefits, notification of cancellation, 19-13-805
- employee contributions, pick up and payment, 19-13-601

FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM (Continued)
Employers (Continued)

  gifts, 19-13-607
  taxing authority, 19-13-214
Establishment, 19-13-103
Exemption, 19-2-1004
Fine, 19-2-1009
Fire department relief associations
  applicability of provisions, 19-13-102
  cash and securities, transfer, 19-13-211
  excess funds, transfer, 19-13-615, 19-18-606
  resolution regarding election to join, 19-13-211
Firemen's Association, State
  advisory capacity, 19-13-115
  member contributions, amount, 19-13-601
Fraud, 19-2-1009
Full-paid firefighters, 19-13-104, See also **Members**
  active membership, 19-13-301
  reduction of number employed, 19-13-212
  supplemental benefits, calculation, 19-13-1009
Funds
  pension trust fund, 19-13-104
    supplemental benefits, payment, 19-13-615, 19-18-606
    transfers to, 19-13-615, 19-18-606
Legal process, exemption, 19-2-1004
Liabilities, unfunded, 19-13-213
Marital status, discrimination based on prohibited, 49-2-309
Member contributions, 19-13-104
  accumulated, certification of funds representing, 19-13-211
  amount, 19-13-601
  employer, pick up and payment, 19-13-601
  military service, options, 19-13-403
  public service employment, for qualification of service in, 19-13-404
  termination of active service prior to age 50, 19-13-701
Members
  active, inactive vested, or inactive nonvested, 19-13-301
  cessation of membership, 19-13-305
  group life and accidental death and dismemberment insurance premiums, 19-13-601
  ineligibility for other plans, 19-13-302
Participation in, 19-13-210, 19-13-212
Part-paid firefighters, 19-13-104, 19-13-301, See also **Members**
Prior law, applicability, 19-13-102
Prior plans, members — effect on, 19-13-310
Public Employees' Retirement Board, Title 19, chapter 2, part 4
Public Employees' Retirement System
  administration by, Title 19, chapter 2
  service credits transferred to, 19-3-509
Purpose of provisions, 19-13-102
Records, falsification, 19-2-1009
Service credits
  game wardens' retirement system, transfers to, 19-8-902
  highway patrol officers' retirement system, transfers to, 19-6-802
  military service, 19-13-403
  municipal police officers' retirement system, transfers to, 19-9-405
  public employees' retirement system, transfers to, 19-3-509
  public service employment, qualification, 19-13-404
  sheriffs' retirement system, transfers to, 19-7-802

FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM (Continued)

Service retirement benefits
  adjustment, 19-13-1007
  alternate payees, 19-2-907
  amount, 19-13-704
  death of member, effect, 19-13-704, See also **Death benefits**
  disability benefits, effect of cancellation, 19-13-804
  eligibility, application, and commencement, 19-13-701
  inactive member becoming active member, effect on, 19-13-805
  supplemental, 19-13-1009
Sex, discrimination based on prohibited, 49-2-309
State contribution, 19-13-604
State Firemen's Association
  advisory capacity, 19-13-115
  member contributions, amount, 19-13-601
Survivorship benefits, 19-13-902
  adjustment, 19-2-1007
  alternate payees, 19-2-907
  distributions, requirements, 19-2-1007
  payment, 19-13-704, 19-13-803, 19-13-902, 19-13-903, 19-13-1006, 19-13-1007, 19-13-1009
Unfunded liabilities, 19-13-213
Workers' compensation benefits, inclusion in compensation, 19-2-905, 19-13-601

FIRE HYDRANT MAINTENANCE DISTRICTS, Title 7, chapter 12, part 46
  See **CITIES AND TOWNS**

FIRE MARSHAL, 2-15-2005
  See also **FIRES AND FIRE PROTECTION**

FIRES AND FIRE PROTECTION
Alarms, See also **Protection equipment**
  cities and towns, 7-33-4201
  false
    agencies of public safety, false alarms to, 45-7-204
    disorderly conduct, 45-8-101
    intimidation, offense of, 45-5-203
  rules for, 50-3-103
  schools, 20-1-404, 20-1-405
  security alarm system, nonapplicability, 37-60-101
  underground communication lines, 69-4-303, See **UTILITIES, Underground conversion**
Arson, 45-6-103
  county detention center work program, inmate ineligibility, 7-32-2227
  highway patrol officers, jurisdiction, 44-1-1001
  homicide, deliberate — commission when, 45-5-102
  hotel or lodging establishment outbuildings, liability, 70-6-505
  investigation, 37-60-101, 50-3-102, 50-63-203, See **Investigation of fires**
    costs, recovery, 46-18-261
  minors
    charged as adults in district court when, 41-5-206
    detention when, 41-5-305
  negligent arson, 45-6-102
  open fires, setting or leaving when, 50-63-102
  property tax, effect on, 15-16-611
  recovery of suppression and investigation costs, 46-18-261
  release of offender, written notice to department of justice, 53-1-104

FIRES AND FIRE PROTECTION (Continued)

Attendance at fire
  fire chief, by, 7-33-2313
  volunteer firefighters, 7-33-4109, 19-17-105
Banks
  emergency closure, 32-1-561
  safe deposit boxes, protection, 32-1-446
Boats
  equipment requirements, 23-2-521, 23-2-523
  sound level limitations — nonapplicability, 23-2-521
Boilers
  inspection, 7-33-4105, 7-33-4204, 50-74-215
  safe working pressure, 50-74-218
Bonfires, regulation, 7-33-4206
Bounty scalps or skins, destruction, 81-7-115
Building codes, 50-3-103, 50-60-201, 50-60-202, 50-60-204, See **Construction of buildings**; **Protection equipment**; **Public buildings**; See also **BUILDINGS AND BUILDING REGULATIONS**, **Municipal and county building codes**; **State building code**
Campfires, 50-63-102, 50-63-103, 76-13-121, 76-13-123
Casualty insurance, See **INSURANCE, CASUALTY**, generally
Chimneys
  construction, rules for, 50-3-103
  defective, 50-62-102, See **Hazards**
  inspection, 7-33-4105, 7-33-4204
Cities and towns
  alarm system, 7-33-4201
  annexation with provision of services, 7-2-4732, 7-2-4734
  bonfires, regulation, 7-33-4206
  codes, 7-5-108, 7-5-4202, 7-33-4208, 50-61-102, 50-61-120
  emergency expenditures, 7-5-4303, 7-6-4251
  fire hydrant maintenance districts, Title 7, chapter 12, part 46, See **CITIES AND TOWNS**
  fire trucks, regulation — exemption, 7-14-4103
  indebtedness, purpose for incurring, 7-7-4101
  industries with fire-causing potential, regulation, 7-33-4207
  inflammable materials, regulation, 7-33-4205
  inspection program, 50-61-102, 50-61-114
  municipal commission government, council — powers, 7-3-4252
  purchase contracts, exemption from bid requirements when, 7-5-4303
  railroad fireguards, nonapplicability, 69-14-722
  rural areas, use of voluntary fire crews, 7-33-2207
  rural fire districts
    annexation, responsibilities, 7-33-2129
    contracts for services, 7-33-2107, 7-33-2109
    mutual aid agreements, 7-33-2108
    owner of land adjacent to, annexation, 7-33-2127
  rural fire protection tax levy, restriction, 7-33-2211
Civil defense, responsibility, 10-3-102, See **EMERGENCIES AND EMERGENCY POWERS**, generally
Coal mine safety
  fire
    notice of occurrence, 50-73-306
    taking into underground mine, 50-73-305
  firedamp, 50-73-305, 50-73-306
  fire walls, underground markings on maps, 50-73-203
  "mine examiner" defined, 50-73-102
Combustibility, See **Inflammability**

FIRES AND FIRE PROTECTION (Continued)

Community college districts, "emergency" defined, 20-15-323
Community homes, certification
    developmentally disabled persons, for, 53-20-307
    persons with severe disabilities, for, 52-4-202, 52-4-205
Community service corps and volunteer projects, 90-14-105
Complaints of hazards, orders concerning, 50-62-110
Condemnation of building, See **Hazards**
Conservation easements, tree-cutting provisions, 77-2-319
Construction of buildings, approval required, 50-61-112
    building codes, 50-60-201, 50-60-202, 50-60-204
    educational or institutional buildings, 50-61-112
    plans, 50-60-202, 50-61-112, 50-61-113
    rules for, 50-3-102, 50-3-103
    state-owned buildings, 50-61-113
Consumer products, determination of flammability or combustibility, 50-30-209
Corridors in public buildings, requirements, 50-61-106
Counties
    emergency expenditures, 7-5-2304, 7-6-2341, 7-6-2344
    fire danger areas, closure to trespass, 87-3-106
    fire districts, See **Rural fire districts**
    fire protection, See **Rural fire protection**
    fire service areas, See **Rural fire service areas**
    insurance for buildings, 7-8-2104
    purchase contracts, exemption from bid requirements when, 7-5-2304
    railroad fireguards, 69-14-722
    state suppression costs, reimbursement, 7-33-2210
County officers, storage of records — requirements, 7-4-2223
County rural fire chief, 7-33-2202, 7-33-2203
    fire control powers and liability, 7-33-2208
Crematoriums, rules — adoption, 37-19-703
Crimes, See **Violations**
Criminal justice information systems, security, 44-5-401
Day-care facilities, safety requirements, 50-61-103, 52-2-723, 52-2-724, 52-2-733, 52-2-734, See also **Public buildings**
Debris-burning fires
    railroad fireguard maintenance, 69-14-722
    written permits for, 7-33-2205, 7-33-2206, 76-13-121, 76-13-122
Definitions, 39-71-118, 50-3-101, 50-30-209, 50-61-103, 70-24-303
Demolition of structures, See **Hazards**
Departments, See **FIRE DEPARTMENTS AND FIREFIGHTERS**
Detention centers, 50-61-103, See also **Public buildings**
    compliance with codes and protection of inmates, 7-32-2222
    county work program, inmate ineligibility when, 7-32-2227
Developmentally disabled persons, See also **Institutional buildings; Public buildings**
    community homes, 53-20-307
    residential facilities, 50-61-103, 53-20-142
Disasters, 10-3-102, 10-3-103, 10-3-312, See also **EMERGENCIES AND EMERGENCY POWERS**, generally
    property tax, effect on, 15-16-611
District fire code and inspection program, 50-61-102, 50-61-114
Districts, See also **Rural fire districts**, See also **CITIES AND TOWNS**, **Fire hydrant maintenance districts**
    audits or financial reports, Title 2, chapter 7, part 5
Drills
    rules for, 50-3-103

FIRES AND FIRE PROTECTION (Continued)
Drills (Continued)

- schools, 20-1-401 — 20-1-404, 20-1-406, 20-1-407

Dwelling accommodations
- lower income, development — "rehabilitation" defined, 90-6-103
- smoke detectors, notice requirement upon sale of dwelling, 70-20-113
- unsafe, 7-15-2101, 7-15-2106, 7-15-4401, 7-15-4407

Educational buildings, 50-61-103, See also **Public buildings; Schools**
- construction or alteration, approval and permit, 50-61-112
- inspections, 20-1-407, 50-3-102, 50-61-114

Election polling places, unavailability due to loss by, 13-3-211
Electrical
- standards for buildings, purpose of provisions, 50-3-103, 50-60-601, See **BUILDINGS AND BUILDING REGULATIONS, Electrical standards**
- wiring, defective, 50-62-102, See **Hazards**

Electricians' licensing provisions, purpose, 37-68-101
Elevators, loss or damage — casualty insurance inapplicable, 33-1-206
Emergency services, See also **EMERGENCIES AND EMERGENCY POWERS**
- cities and towns, expenditures, 7-5-4303, 7-6-4251
- counties
  - expenditures, 7-5-2304, 7-6-2341, 7-6-2344
  - state suppression costs, reimbursement, 7-33-2210
- hazardous chemicals, concerning, 50-78-301
- mutual aid agreements, 7-3-1345, 7-33-2202, 7-33-4112; Title 10, chapter 3, part 11
- responsibilities, 10-3-102, 10-3-312, See generally **EMERGENCIES AND EMERGENCY POWERS; EMERGENCY MEDICAL SERVICES**
- rural areas, voluntary urban fire crews — use, 7-33-2207
- rural fire districts, response equipment, 7-33-2109

Enforcement of provisions, 50-39-107, 50-61-102, 50-61-112, 50-61-114, 50-61-115, 50-61-117, 50-62-103, 50-62-105, 50-62-107
Environmental contingency account, nonapplicability, 75-1-1101
Exits, See **Fire escapes or exits**
Extinguishing equipment, See also **Protection equipment; FIRE DEPARTMENTS AND FIREFIGHTERS**, generally
- boats, requirements, 23-2-521, 23-2-523
- city or town councils, authority, 7-33-4202
- insurance against loss or damage caused by, See **INSURANCE, CASUALTY**, generally
- motor vehicles to carry when, 61-9-413, 61-9-416
- purchase, See **CITY FINANCE, Bond issues; Indebtedness**
- rules for, 50-3-103
- volunteer firefighters, compensation when, 7-33-4109

Facility siting provisions, waiver when, 75-20-304
False alarms
- agencies of public safety, false alarms to, 45-7-204
- disorderly conduct, 45-8-101
- intimidation, offense of, 45-5-203

False reports of fires, 45-5-203, 45-8-101
Federal rules, adoption, 50-3-103
Fire codes
- city or town, 7-5-108, 7-5-4202, 7-33-4208, 50-61-102, 50-61-120
- detention centers, compliance, 7-32-2222
- district, 50-61-102
- hotels and lodging establishments, 50-51-103
- housing, lower income — "rehabilitation" defined, 90-6-103
- smokeless powder and small arms primers, storage — exceeding limits, 50-61-120

Fire companies, See **FIRE DEPARTMENTS AND FIREFIGHTERS**
Fire danger areas, closure of area to trespass, 87-3-106

FIRES AND FIRE PROTECTION (Continued)

Fire drills
  rules for, 50-3-103
  schools, 20-1-401 — 20-1-404, 20-1-406, 20-1-407
Fire engines, See **FIRE DEPARTMENTS AND FIREFIGHTERS**
Fire escapes or exits
  city or town council, authority, 7-15-4124
  condominium project, common interest, 15-8-511, 70-23-102
  lessee, correction of violation by, 50-61-116
  obstruction unlawful, 50-61-106
  rules for, 50-3-103
  school facilities, inspection, 20-1-407
Fire extinguishers, See **Extinguishing equipment**; **Protection equipment**
Firefighters, See **FIRE DEPARTMENTS AND FIREFIGHTERS**
Fire hydrants, See also **Protection equipment**, generally
  maintenance districts, Title 7, chapter 12, part 46, See **CITIES AND TOWNS**
  vehicles — stopping, standing, or parking distance requirement, 61-8-354
Fire inspectors, 50-3-106, 50-61-114
Fire marshal, 2-15-2005
Fire prevention and investigation program, 50-3-101
  administration, 2-15-2005
  advisory council, 2-15-2005
  community homes for developmentally disabled persons, certification, 53-20-307
  day-care facilities, duties, 52-2-733, 52-2-734
  developmentally disabled persons, certification of community homes, 53-20-307
  fire inspectors, functions, 50-3-106, 50-61-114
  fire services training advisory council, representation, 2-15-1519
  foster family care homes, adult — recommendations concerning, 52-3-304
  funding, 50-3-109
  hazards, 50-62-101 — 50-62-103
  inspections, 50-62-101, 50-62-103
  insurance premium tax to fund, 50-3-109
  investigation of day-care facilities, 52-2-734
  petroleum tank release compensation board, representation on, 2-15-2108
  smokeless powder and small arms primers, storage, 50-61-121
    fire code limits, exceeding, 50-61-120
  supervision and control, 2-15-2005
Fireplaces, inspection, 7-33-4204
Fire safety rules, 50-61-115
Fire seasons, establishment, 7-33-2205
Fire service areas, See **Rural fire service areas**
Fire Services Training Advisory Council, representation on, 2-15-1519
Fire Services Training School, purpose, 20-31-103
Firewood obstructing trafficways and public grounds, prevention, 7-14-4104
Fireworks, Title 50, chapter 37, part 1, See **FIREWORKS**
Fishing, fire danger areas closed to, 87-3-106
Flammability, See **Inflammability**
Flues
  construction, rules for, 50-3-103
  inspection, 7-33-4105, 7-33-4204
Forests, within, See **FORESTS AND FORESTRY**
Foster family care homes, adult, 50-61-103, 52-3-304, See also **Public buildings**
Furnaces
  defective, 50-62-102, See **Hazards**
  rules for, 50-3-103
Gas connections, defective, 50-62-102, See **Hazards**

FIRES AND FIRE PROTECTION (Continued)

Hazardous chemicals
  fire chiefs, duties, 50-78-102, 50-78-301
  rules concerning, 50-3-103
Hazardous material incidents, recovery of costs, 75-10-716, 75-10-717
Hazardous waste underground storage tanks
  installations or closures, inspections, 75-11-213
  leaks as hazard, 75-11-202
  rules, 75-10-405
Hazards
  appeals, 50-62-110
  complaints, 50-62-110
  consumer products, determination of flammability or combustibility, 50-30-209
  hazardous waste underground storage tank leaks, 75-11-202
  inflammable materials, regulation, 7-33-4205, 69-14-721
  injunction when, 50-3-102
  inspection, 7-33-4105, 7-33-4204, 50-62-101
  mining operations, 82-4-231
  noncompliance with orders, 50-62-107, 50-62-111
  nuisance, structures creating, 50-62-102
  oil and gas operations, 82-11-302
  order to remove hazardous conditions or materials, 50-62-102
    appeal, 50-62-110
    noncompliance, 50-62-102, 50-62-111
    penalties, 50-62-111
    revocation, 50-62-110
  order to repair hazardous condition or demolish structure, 50-62-103, 50-62-106
    affidavit, 50-62-103
    affirmance, 50-62-105
    answer of owner or occupant, 50-62-103 — 50-62-106
    appeal, 50-62-110
    default judgment, 50-62-105
    enforcement, 50-62-105, 50-62-107
    execution of judgment, 50-62-107
    filing, 50-62-103
    grounds, 50-62-103
    hearing, 50-62-104, 50-62-106
    judgment, 50-62-104 — 50-62-106
    jurisdiction of district court, 50-62-103
    lien for salvage sale expenses, 50-62-107
    noncompliance with order, 50-62-107, 50-62-111
    notice of order, 50-62-103
    objections of owner or occupant, 50-62-103 — 50-62-106
    penalties, 50-62-111
    revocation, 50-62-110
    salvage sale, 50-62-107
    service, 50-62-103
    set aside, 50-62-106
  railroad right-of-way, control along, 69-14-721
  revocation of orders, 50-62-110
  rules concerning, 50-3-103
  state scientific and recreational park, purpose, 23-1-201
  underground storage tank leaks, 75-11-202
  written complaints, notices, or orders, 50-62-102, 50-62-103
Health care facilities, 50-61-103, See also **Public buildings**
  certificate of need, emergency issuance, 50-5-302, 50-5-308

FIRES AND FIRE PROTECTION (Continued)
Health care facilities (Continued)

  standards, 50-5-103, 53-6-106
Historic properties, tax abatement — disqualification provisions inapplicable, 15-24-1607
Hotels and lodging establishments, 50-61-103, See also **Public buildings**
  liability for personal property losses, 70-6-503 — 70-6-505
  safety regulations, 50-51-103, 50-61-103
Housing accommodations
  lower income, development — "rehabilitation" defined, 90-6-103
  unsafe, 7-15-2101, 7-15-2106, 7-15-4401, 7-15-4407
Hunting, fire danger areas closed to, 87-3-106
Hydrants for protection, See also **Protection equipment**, generally;
  maintenance districts, Title 7, chapter 12, part 46, See **CITIES AND TOWNS**, **Fire hydrant maintenance districts**
  vehicles — stopping, standing, parking distance requirement, 61-8-354
Income tax, individual — estates or trusts, deductions, 15-30-136
Industrial buildings, inspection, 50-3-102
Industries with fire-causing potential, regulation, 7-33-4207
Inflammability
  consumer products, determination, 50-30-209
  materials, See also **Hazards**
    regulation, 7-33-4205, 50-3-103
    removal, 50-62-102
  railroad right-of-way, hazard along, 69-14-721
Injunction when, 50-3-102, 50-61-118
Inspection of buildings, 50-3-102, 50-61-101, 50-61-114, 50-61-115
  city or town councils, authority, 7-33-4204
  day-care facilities, 52-2-733, 52-2-734
  fire chiefs, by, 7-33-2313, 50-61-114, 50-61-115, 50-62-101, 50-62-103, 50-78-301, 75-11-213
  fire department chief engineers, by, 7-33-4105
  fire inspectors, 50-3-106, 50-61-114
  fire prevention and investigation program, 50-62-101, 50-62-103
  hazardous chemicals, 50-78-301
  hazards, 7-33-4204, 50-62-101, 50-62-103
  institutions, 50-3-102
  justice, department of — by, 50-3-102, 50-61-114, 50-61-115
  public buildings, 50-61-101, 50-61-114, 50-61-115
  schools, 20-1-407, 20-6-624, 50-3-102, 50-61-114
  state-owned buildings, 50-3-102
  university system, 50-3-102
Inspection of protection equipment license applicants, 50-39-103, 50-39-105
Inspection programs, municipal or district, 50-61-102, 50-61-114
Institutional buildings, 50-61-103, See also **Public buildings**
  construction or alteration, approval and permit, 50-61-112
  developmentally disabled persons, facilities for, 50-61-103, 53-20-142, 53-20-307
  inspections and reports, 50-3-102
  mental health facilities, 50-61-103, 53-21-142
Insurance
  agricultural commodity
    dealers, requirements, 80-4-601
    warehouse operators, requirements, 80-4-502, 80-4-506
  condominiums, common expenses, 70-23-612
  county buildings, 7-8-2104
  credit unions, requirements, 32-3-201
  day-care facilities, requirements, 52-2-723, 52-2-724
  devise, proceeds acquired by — nonademption, 72-2-616

FIRES AND FIRE PROTECTION (Continued)
Insurance (Continued)
- farm property, stock, and rural buildings, 33-4-101, 33-4-501, 33-4-502, See **INSURERS, FARM MUTUAL**
- home insurance, notice requirements for cancellation or nonrenewal, 33-23-401
- indemnity, measure of and rescission for fraud, 33-24-101
- information to state agencies
  - adjuster's report, to department of justice, 50-63-203
  - confidentiality, 50-3-102, 50-63-403
  - liability of insurer limited, 50-63-405
  - policy information, 50-63-401, 50-63-405
  - scope of information that may be provided, 50-63-401, 50-63-405
  - suspicious fires, report, 50-63-402, 50-63-405
  - testimony by agency personnel when, 50-63-404
  - writing required, 50-63-401
- insurer
  - insolvency declared when, 33-2-1303
  - reinsurance, limit of risk, 33-2-1201
- leakage and fire extinguishing equipment, against loss or damage caused by, 33-1-206, See **INSURANCE, CASUALTY**, generally
- nationwide inland marine, coverage inapplicable, 33-1-228
- premium tax, report requirements and payments from, 19-18-512, 33-2-705
- rates, standards, 33-16-201
- recovery on policy, testimony of law enforcement and fire protection personnel, 50-63-404
- tax lien on proceeds when, 33-24-104

Interstate emergency services mutual aid agreements, Title 10, chapter 3, part 11, See **EMERGENCIES AND EMERGENCY POWERS, Interstate emergency services mutual aid**

Investigation of fires
- arson-caused fires, recovery of costs, 46-18-261
- authorization, 50-63-101
- criminal, 50-63-203
- entry on premises, authorization, 50-63-101
- failure to investigate or file report, 50-63-204
- fire chief, by, 7-33-2313
- incident reports, 50-63-203, 50-63-204
- initial investigation, 50-63-201 — 50-63-204
- insurance
  - adjuster, report by, 50-63-203
  - information to state agencies, 50-63-401 — 50-63-405
- private investigators, 37-60-101
- records, 50-3-102
- reports, 50-63-203, 50-63-204
- required when, 50-63-201
- state program, See **Fire prevention and investigation program**
- witnesses, 50-3-102

Investigations generally
- day-care facilities, 52-2-734
- hazards, complaints from orders concerning, 50-62-110

Land-clearing fires
- railroad fireguard maintenance, 69-14-722
- written permits for, 7-33-2205, 7-33-2206, 76-13-121, 76-13-122

Landlord-tenant relationships, applicability, 50-61-103, 50-61-116, 50-61-118, 50-62-103, 70-24-105, 70-24-303, 70-24-409

Leaving a fire causing damage, 50-63-102, 50-63-103, 76-13-121 — 76-13-123

Lessee
- correction of violations by, 50-61-116

FIRES AND FIRE PROTECTION (Continued)
Lessee (Continued)

- injunction of occupancy upon violation, 50-61-118

Liability
- fire suppression actions, for, 7-33-2208
- hotels and lodging establishments, for personal property losses, 70-6-503 — 70-6-505
- insurance information to state agencies, 50-63-405
- railroads
  - fireguard maintenance, damages for noncompliance, 69-14-722
  - right-of-way, hazard along — damages for fire caused by, 69-14-721
- rural fire districts
  - annexed territory, for indebtedness of original district, 7-33-2125
  - detracted area, for indebtedness of original district, 7-33-2124
- setting or leaving fire causing damage, damages and costs, 50-63-103, 69-14-721
- smoke detector failure, damages caused by — nonliability of landlord, 70-24-303

Malls, pedestrian — facilities on, 7-14-4704
Mausoleums and columbariums, construction requirements, 35-21-710
Mayors, powers, 7-4-4303, 7-4-4304
Mental health facilities, 50-61-103, 53-21-142, See also **Institutional buildings; Public buildings**
Military right-of-way not to interfere with, 10-1-602
Mining operations
- hazards, elimination, 82-4-231
- preventive measures, 82-4-434

Montana Conservation Corps, emergency projects, 23-1-303
Motor vehicles
- damaged by fire, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Salvage vehicles**
- extinguishing equipment, to carry when, 61-9-413, 61-9-416
- new, extension of warranty period, 61-4-502

Municipal commission government, council — powers, 7-3-4252
Mutual aid agreements, 7-3-1345, 7-33-2108, 7-33-2202, 7-33-2405, 7-33-4112; Title 10, chapter 3, part 11
Natural areas, suppression costs — responsibility, 76-12-121
Natural resources generally, 76-11-101, 76-11-102, See also **Rural fire protection**
9-1-1 emergency telephone system, Title 10, chapter 4, parts 1 — 3
Nuisance, structure creating fire hazard as, 50-62-102, 50-62-103
Occupational safety codes, 50-71-312
Offenses, See **Violations**
Oil and gas operations
- hazards, elimination, 82-11-302
- requirements, 82-11-123

Open fires
- mining operations, 82-4-434
- permits, written — for igniting or setting, 7-33-2205, 7-33-2206
- railroad fireguard maintenance, 69-14-722
- setting or leaving fire causing damage, 50-63-102, 50-63-103, 77-1-805
- state lands recreational use — restrictions, 77-1-804

Pedestrian malls, facilities on, 7-14-4704
Permits, written — for igniting or setting certain fires, 7-33-2205, 7-33-2206, 76-13-121, 76-13-122
Predators, bounty scalps or skins — destruction, 81-7-115
Prevention information to public, 20-31-103, 50-3-102, See also **Fire prevention and investigation program**
Product safety, determination of flammability or combustibility, 50-30-209
Property
- involuntary deposit resulting from fire, 70-6-103

FIRES AND FIRE PROTECTION (Continued)
Property (Continued)

- rescued from fire, 7-33-2313

Protection equipment, See also **FIRE DEPARTMENTS AND FIREFIGHTERS**
- cities and towns, indebtedness — purpose for incurring, 7-7-4101
- fire hydrant maintenance districts, Title 7, chapter 12, part 46, See **CITIES AND TOWNS**
- insurance against loss or damage, 33-1-206, See **INSURANCE, CASUALTY**, generally
- rural fire districts, 7-33-2105, 7-33-2107, 7-33-2109
- rural fire protection, financing, 7-33-2209
- rural fire service areas, 7-33-2401, 7-33-2402, 7-33-2404
- sale, installation, or servicing — license and endorsements
  - application, 50-39-102
  - discrimination in issuance prohibited, 49-3-204
  - examinations, 50-39-102, 50-39-103
  - fee, 50-39-102, 50-39-105, 50-39-106
  - hearings, 50-39-103
  - issuance, 49-3-204, 50-39-101 — 50-39-103, 50-39-105
  - required, 50-39-101
  - revocation or suspension, 50-39-104
  - rulemaking authority, 50-39-107
- smoke detectors, landlord-tenant provision, 70-24-303
- smokeless powder and small arms primers, storage, 50-61-121
- special improvement districts, creation for, 7-12-4102, See **SPECIAL IMPROVEMENT DISTRICTS**
- violations, 50-39-104, See also **Violations**
- volunteer fire departments, financing, 7-33-4111

Protection information to public, 50-3-102
Public buildings, safety in, See also this main category generally
- administration of provisions, 50-61-102
- applicability of laws, 50-61-103
- city or town council, authority, 7-33-4204
- condemnation, See **Hazards**
- construction, See **Construction of buildings**
- corridors, requirements, 50-61-106
- defective conditions, 50-61-115
- definitions, 50-61-103
- enforcement, 50-61-102, 50-61-117
- fire exits, 50-61-106, 50-61-116
- hazards, See **Hazards**
- inspection, 50-3-102, 50-61-101, 50-61-114, 50-61-115
- purpose of provisions, 50-61-101
- rules for, 50-3-102, 50-3-103, 50-61-102, 50-61-114
- schools, inspection, 20-1-407
- smokeless powder and small arms primers, storage, 50-3-103, 50-61-102, 50-61-120, 50-61-121
- supervision, 50-61-102
- violations, 50-61-106, 50-61-115 — 50-61-119, See also **Violations**

Public records, storage requirements, 2-6-111, 7-4-2223
Public safety communications officers, 7-31-201 — 7-31-203, 44-4-301, 44-4-302
Railroads
- fireguards, maintenance, 69-14-722
- grain elevators or warehouses, location, 69-14-911
- passenger facilities or stations, 50-61-103, See **Public buildings**
- right-of-way, hazard along — control, 69-14-721

Reports of fires
- delays in receiving or transmittal, liability, 7-33-4114
- false, 45-5-203, 45-8-101

FIRES AND FIRE PROTECTION (Continued)
Reports of fires (Continued)

- state land lessees, 77-1-805
- telephone party line or public telephone, failure to yield to permit emergency call, 45-8-114

Rural fire districts

- annexation
  - adjacent territory
    - cities or towns, to, 7-2-4734, 7-33-2127
    - contained in district, annexation to another district, 7-33-2126
    - not contained in district, 7-33-2125
  - cities and towns, 7-2-4734, 7-33-2129
- appropriation to, 7-6-2218, 7-33-2129
- architectural services contracts, Title 18, chapter 8, part 2
- audits, Title 2, chapter 7, part 5
- bonded indebtedness, effect of annexation, 7-33-2129
- bond issues, 7-33-2109
- boundaries
  - adjustments, 7-3-1345, 7-33-2103, 7-33-2126
  - annexation of adjacent territory contained in district, changes, 7-33-2126
  - consolidation, map, 7-33-2120
  - contracts for services, limitations, 7-33-2107
  - division of district, 7-33-2122
  - written request for adjustment, 7-33-2103
- budgets, 7-33-2105, 90-6-323
- bylaws, 7-33-2105
- capital improvement fund, 7-33-2111
- cities and towns
  - annexation, 7-33-2129
  - contracts for services, 7-33-2107, 7-33-2109
  - mutual aid agreements, 7-33-2108, 7-33-2405
  - owner of land adjacent to, annexation, 7-33-2127
- city-county consolidation provisions, 7-3-1345, 7-33-2110, 7-33-2316
- consolidation, 7-33-2120
- contracts for services, 7-33-2104, 7-33-2107, 7-33-2109; Title 18, chapter 8, part 2
- county appropriation to, 7-6-2218
- county attorney as counsel for, 7-4-2711
- dissolution, 7-3-1345, 7-33-2128
- division
  - assets and liabilities, distribution, 7-33-2124
  - authorization, 7-33-2121
  - hearing and notice, 7-33-2122, 7-33-2123
  - owner of land adjacent to city or town, withdrawal and annexation, 7-33-2127
  - petition for, 7-33-2122
  - protests, 7-33-2123
- emergency response equipment, 7-33-2109
- engineering services contracts, Title 18, chapter 8, part 2
- equipment and facilities, 7-33-2105, 7-33-2107, 7-33-2109, 7-33-2111
- establishment, 7-3-1345, 7-33-2101 — 7-33-2104
  - decision on, 7-33-2103
- financing, 7-3-1345, 7-33-2120
- fire chiefs
  - appointment and supervision, 7-33-2202
  - compensation, 7-33-2204
  - fire control powers and liability, 7-33-2208
  - hazardous chemicals, duties, 50-78-102, 50-78-301
  - inspections by, 50-61-114, 50-61-115, 50-62-101, 50-78-301

FIRES AND FIRE PROTECTION (Continued)
Rural fire districts (Continued)

- fire companies, See also **FIRE DEPARTMENTS AND FIREFIGHTERS**
  - appointment and formation, 7-33-2105
  - contracts for services, 7-33-2104, 7-33-2107
- fund, deposits to, 7-33-2107
- governance, 7-33-2104, 7-33-2120
- hard-rock mining impact, 90-6-302, See **MINES AND MINING, Metal mines impact areas**
- hearings
  - annexation of adjacent territory, petitions for, 7-33-2125, 7-33-2126
  - consolidation, on, 7-33-2120
  - division, petition for, 7-33-2122, 7-33-2123
  - establishment, petition on, 7-33-2102, 7-33-2103
- land surveying services contracts, Title 18, chapter 8, part 2
- levies for, 7-33-2105, 7-33-2109
- liability
  - annexed territory, for indebtedness of original district, 7-33-2125
  - detracted area, for indebtedness of original district, 7-33-2124
  - fire suppression actions, for, 7-33-2208
- management, 7-3-1345, 7-33-2104
- mutual aid agreements, 7-3-1345, 7-33-2108, 7-33-4112
- notices
  - consolidation, of, 7-33-2120
  - hearings, 7-33-2102, 7-33-2103, 7-33-2122, 7-33-2125
  - owner's intention to annex land to city or town, 7-33-2127
- operation, 7-33-2104, 7-33-2120
- organization, 7-3-1345
- petitions
  - annexation of adjacent territory
    - contained in district, annexation to another district, 7-33-2126
    - not contained in district, 7-33-2125
  - dissolution, for, 7-33-2128
  - division, for, 7-33-2122
  - establishment, for, 7-33-2101 — 7-33-2103
  - protest petitions, 7-33-2125
  - trustees, candidates — nomination, 7-33-2106
  - withdrawal of signatures, 7-33-2103
- protests
  - annexation, 7-33-2125, 7-33-2126
  - consolidation, 7-33-2120
  - division of district, 7-33-2123
- public fund deposits or investments, crediting of interest, 7-6-204
- tax exemption, 15-6-201
- tax levies, 7-33-2105, 7-33-2109
- trustees
  - annexation, 7-33-2125, 7-33-2127
  - appointment, 7-33-2104, 7-33-2106
  - budgets, preparation, 7-33-2105
  - capital improvement fund, establishment, 7-33-2111
  - chairman, 7-33-2106, 7-33-2127
  - consolidation procedures, 7-33-2120
  - contracts for services, 7-33-2107
  - election of, 7-33-2106
  - equipment and facilities, 7-33-2105, 7-33-2107

FIRES AND FIRE PROTECTION (Continued)
Rural fire districts (Continued)
  trustees (Continued)
    fire companies, See also **FIRE DEPARTMENTS AND FIREFIGHTERS**
      appointment and formation, 7-33-2105
      contracts for services, 7-33-2107
    levies, request for, 7-33-2105
    mutual aid agreements, 7-33-2108
    term of office, 7-33-2106
    workers' compensation coverage, election when, 39-71-118
  withdrawal
    adjacent territory, annexation to another district, 7-33-2126
    owner of land adjacent to city or town, by, 7-33-2127
  workers' compensation coverage and effect on retirement benefits, 19-17-501, 39-71-118, 39-71-123
Rural fire protection
  city or town property, tax levy prohibited, 7-33-2211
  county appropriation to, 7-6-2218, 7-33-2209
  county governing body, 7-33-2201, 7-33-2202
    financing fire control activities, 7-33-2209
    fire seasons, establishment, 7-33-2205
    voluntary urban fire crews, organization and training, 7-33-2207
    workers' compensation coverage, election, 39-71-118
  districts, See **Rural fire districts**
  financing fire control activities, 7-33-2209
  fire chiefs, 7-33-2202 — 7-33-2204
    fire control powers and liability, 7-33-2208
    hazardous chemicals, duties, 50-78-102, 50-78-301
  fire seasons, establishment, 7-33-2205
  liability for fire suppression actions, 7-33-2208
  mutual aid agreements, 7-33-2202
  purpose of provisions, 7-33-2201
  state suppression costs, reimbursement when, 7-33-2210
  tax exemption for entities providing, 15-6-201
  tax levy for, 7-33-2209, 7-33-2211
  voluntary urban fire crews, use, 7-33-2207
  volunteer fire companies, 7-33-2202
  volunteer rural fire control crews, 7-33-2202, 7-33-2208
  workers' compensation coverage and effect on retirement benefits, 19-17-501, 39-71-118, 39-71-123
Rural fire service areas
  alteration or dissolution of boundaries, 7-33-2401
  assessments, 7-33-2404
  contracts for services, 7-33-2402
  county attorney as counsel for, 7-4-2711
  emergency equipment and medical services, 7-33-2402
  establishment, 7-33-2401
  financing, 7-33-2404
  fire control powers and liability, 7-33-2208
  hearing and notices, 7-33-2401
  indebtedness, 7-33-2401, 7-33-2404
  liability for fire suppression actions, 7-33-2208
  mutual aid agreements, 7-33-2108, 7-33-2405, 7-33-4112
  operation and management, 7-33-2403
  petition for, 7-33-2401
  protests, 7-33-2401
  rate schedules, 7-33-2401, 7-33-2403, 7-33-2404
  resolutions concerning, 7-33-2401, 7-33-2404

FIRES AND FIRE PROTECTION (Continued)
Rural fire service areas (Continued)

  services provided, 7-33-2401, 7-33-2402, 7-33-2404
  trustees, 7-33-2403, 7-33-2404, 39-71-118
  workers' compensation coverage and effect on retirement benefits, 19-17-501, 39-71-118, 39-71-123
Safety promotion, 50-3-102
Schools, See also **Educational buildings; Public buildings**
  fire drills, 20-1-401 — 20-1-404, 20-1-406, 20-1-407
  fires, 20-1-405
    emergency, defined as, 20-9-802
  inspections, 20-1-407, 20-6-624, 50-3-102, 50-61-114
  plans and specifications, regulations, 20-6-624
School trustee meetings, effect on, 20-3-322
Secretary of state, storage of public records — requirements, 2-6-111
Setting a fire causing damage, 50-63-102, 50-63-103, 69-14-721, 76-13-122, 76-13-123, See also **Arson**
Slash-burning fires, written permits for, 7-33-2205, 7-33-2206, 76-13-121, 76-13-122
Smoke detectors, 70-24-303, See also **Protection equipment**, generally
  dwellings, notice requirement upon sale of, 70-20-113
Smokeless powder and small arms primers, storage
  fire code limits, exceeding, 50-61-120
  restrictions, 50-61-121
  rules for, 50-3-103, 50-61-102
Special improvement districts, creation for, 7-12-4102, See **SPECIAL IMPROVEMENT DISTRICTS**, generally
Sprinkler systems, See **Protection equipment**, generally
Stairways, schools — inspection, 20-1-407
Starting unlawfully, 7-33-2205, 7-33-2206, 45-6-102, 45-6-103, 76-13-122, See also **Arson**
State fire marshal, 2-15-2005
State fire prevention and investigation program, See **Fire prevention and investigation program**
State lands, recreational use
  damages resulting from, 77-1-805
  restrictions, 77-1-804
State-owned buildings, See also **Public buildings**
  bomb threats, 50-3-102
  construction or alteration, approval required, 50-61-113
  inspections and reports, 50-3-102
  protection provisions, budget and review, 2-17-112
State scientific and recreational park, purpose, 23-1-201
Stoves and stovepipes, inspection, 7-33-4204
Subdivision services, environmental assessment, 76-3-603
Suppression
  arson-caused fires, recovery of costs, 46-18-261
  costs
    natural areas, responsibility, 76-12-121
    recovery, 46-18-261, 50-63-103
  fire danger areas, request for closure — requirements, 87-3-106
  information to public, 20-31-103
  natural areas, costs — responsibility, 76-12-121
  rural fire protection, 7-33-2208 — 7-33-2210
Threat of pending fire, offense of intimidation, 45-5-203
Tow trucks, equipment requirements, 61-9-416
Toxic substances, determination of flammability or combustibility, 50-30-209
Training school, Title 20, chapter 31, See **FIRE SERVICES TRAINING SCHOOL**

FIRES AND FIRE PROTECTION (Continued)

Underground storage tanks
  installations or closures, inspection, 75-11-213
  leaks as hazard, 75-11-202
  rules, 75-10-405
Unincorporated places
  districts, See **Rural fire districts**
  fire companies, Title 7, chapter 33, part 23, See **FIRE DEPARTMENTS AND FIREFIGHTERS**
  fire service areas, Title 7, chapter 33, part 24, See **Rural fire service areas**
  mutual aid agreements, 7-33-2108, 7-33-4112
Urban renewal, blighted areas, 7-15-4202, 7-15-4206
Violations
  arson, See **Arson**
  campfires, 50-63-102, 50-63-103
  false alarms, of
    agencies of public safety, false alarms to, 45-7-204
    disorderly conduct, 45-8-101
    intimidation, offense of, 45-5-203
  false report of fire, 45-5-203
  fines, 50-61-119, 50-62-111, 50-63-102, 50-63-204
  fire exits
    lessee, correction of violations, 50-61-116
    obstruction, 50-61-106
  hazards
    failure to remove, 50-62-111
    noncompliance with orders, 50-62-111
  injunction, 50-61-118
  inspection to determine, 50-61-114
  investigations of fires, failure to investigate and report, 50-63-204
  leaving open fire causing damage, 50-63-102, 76-13-123
  lessee, correction of, 50-61-116
  notice of, 50-61-115, 50-61-119
  permits to ignite or set fires in certain areas, failure to have, 7-33-2206, 76-13-122
  prosecution, 50-61-117
  protection equipment sales, installation, or servicing — generally, 50-39-104
  public buildings, 50-61-106, 50-61-115 — 50-61-119
  rules of department of justice, 50-3-103, 50-39-104, 50-39-107, 50-61-114, 50-61-115, 50-61-117
  setting open fire causing damage, 50-63-102, 76-13-122, 76-13-123, See also **Arson**
  starting unlawfully, 7-33-2206, 45-6-102, 45-6-103, 76-13-122, See also **Arson**
  telephone party line or public telephone, failure to yield to permit emergency call, 45-8-114
  threat of pending fire, 45-5-203
Voluntary urban fire crews, use in rural areas, 7-33-2207
Volunteer fire companies, See FIRE DEPARTMENTS AND FIREFIGHTERS
Volunteer rural fire control crews, 7-33-2202, 7-33-2208
Water works for protection, 85-1-102, 85-1-210, See **WATER, Projects**
Weather modification and control activities, exemption from licensing and permit provisions, 85-3-202
Zoning regulations, purpose, 76-2-204, 76-2-304

FIRE SERVICES TRAINING SCHOOL
Advisory Council, 2-15-1519, 20-31-101, 20-31-301, 20-31-302
Allocation, 20-31-102
Budget, 17-7-102, 20-31-102, See **BUDGET AND BUDGETING**
Contractual agreements, 20-31-401

FIRE SERVICES TRAINING SCHOOL (Continued)

Coordination with other agencies, 20-31-104
Cost recovery fee, 20-31-402
Creation, 20-31-102
Definitions, 20-31-101
Director, 2-15-1518, 2-15-1519, 20-31-101, 20-31-201, 20-31-202, 20-31-302
Gifts and grants, 20-31-401
Purpose, 20-31-103, 20-31-302, 20-31-401
Regents of Higher Education, Board of — duties, 2-15-1519; Title 20, chapter 31
Rules, 20-31-301
Supervision, 20-31-102

FIREWARDENS, 77-5-103 — 77-5-106, 87-1-504
  See also **FIRES AND FIRE PROTECTION; FORESTS AND FORESTRY**

FIREWORKS
Animals, discharge in vicinity of — unlawful when, 50-37-103
Applicability of laws, 50-37-102
Athletic events, applicability of laws, 50-37-102
Ceremonial use, applicability of laws, 50-37-102
City or town councils, regulation, 7-33-4206, 50-37-102
Commerce, Department of — wholesaler permits and fees, 50-37-104
Confiscation, 50-37-109
Defined, 50-37-101, 50-37-105
Discharge unlawful when, 50-37-103
Displays
  applicability of laws, 50-37-102
  "no smoking" sign, 50-37-104
  public
    authorization, 50-37-107
    indemnity bond, 50-37-108
    permits, 50-37-107
    requirements, 50-37-107
Fines, 50-37-110
Industrial use, applicability of laws, 50-37-102
Justice, Department of — authority, 50-37-107 — 50-37-109
Mail order solicitation, sale by — unlawful, 50-37-103
Military use, applicability of laws, 50-37-102
Minors — unlawful sale, possession, or gift
  by, 50-37-103
  to, 45-5-623
Motor vehicles — discharge from, inside, or toward prohibited, 50-37-103
Penalties, 50-37-110
Permissible fireworks, 50-37-103 — 50-37-105
Permits for public display, 50-37-107
Persons, discharge in vicinity of — unlawful when, 50-37-103
Rules, 50-37-104, 50-37-107
Sale
  applicability of laws, 50-37-102
  city or town councils, regulation, 7-33-4206, 50-37-102
  dates, restriction, 50-37-106
  discharge, proximity to sales location restricted, 50-37-103
  display, for, 50-37-102, 50-37-107
  lawful sales, 50-37-104
  location, restrictions, 50-37-103
  mail order solicitation unlawful, 50-37-103
  minors, 45-5-623, 50-37-103

FIREWORKS (Continued)
Sale (Continued)

"no smoking" sign, 50-37-104
permissible fireworks, 50-37-103 — 50-37-105
unlawful, 45-5-623, 50-37-103
wholesalers, 50-37-103, 50-37-104
Seizure, 50-37-109
Theatrical use, applicability of laws, 50-37-102
Toy guns, 7-33-4206, 50-37-101
Transportation, 50-37-103
signals, use for — applicability of laws, 50-37-102
Unlawful sale or use, 45-5-623, 50-37-103
confiscation of fireworks, 50-37-109
penalties, 50-37-110
Uses
applicability of laws, 50-37-102
displays, public, 50-37-107, 50-37-108
lawful, 50-37-104, 50-37-107
permissible fireworks, 50-37-103 — 50-37-105
unlawful, 50-37-103
Wholesaler permits, 50-37-103, 50-37-104

FISCAL NOTES, Title 5, chapter 4, part 2
See **LEGISLATURE**

FISCAL YEAR
City-county consolidated governments, 7-3-1302
Counties, 7-6-2201
Credit unions, 32-3-105
Municipalities, 7-3-1302, 7-6-4101
Public employees' retirement system, 19-2-303
Schools, 20-1-301
State government, 17-2-110
Taxation, 15-10-101
Unemployment insurance provisions, 39-51-1121
Volunteer firefighters' compensation provisions, 19-17-102
Workers' compensation provisions, 39-71-116

FISH AND GAME LICENSES AND PERMITS
See **FISH AND WILDLIFE**

FISH AND GAME WARDENS, Title 87, chapter 1, part 5
See **FISH AND WILDLIFE; PEACE OFFICERS; PUBLIC OFFICERS OR EMPLOYEES**

FISH AND WILDLIFE
Access sites
acquisition and funding, 87-1-209, 87-4-601, 87-1-605
improvement or development projects, 23-1-110
rules for recreational use, 87-1-303
smith river management provisions, description of waterway applicable to, 23-2-404
Administrative
districts, 2-15-1883, 2-15-3402
rules, nonapplicability, 2-4-102
Aerial hunting, Title 81, chapter 7, part 5, See **PREDATORS AND PREDATOR CONTROL**
Agents, Title 87, chapter 2, part 9
appointment, 87-2-901
nontransferability or revocation, 87-2-903, 87-2-904

FISH AND WILDLIFE (Continued)
Agents (Continued)

- bond requirements, 87-2-902
- compensation and duties, 77-1-802, 87-2-903
- laws, copies to, 87-1-405
- licenses, permits, or certificates
  - applications, 87-2-106
  - certificate of competency or completion requirements, 87-2-105
  - discrimination in issuance prohibited, 49-3-204
  - inspection, availability, 87-2-903
  - money from, late submission penalty, 87-2-903
  - recreational use of state lands, 77-1-801, 77-1-802
  - sales, unlawful, 87-2-106, 87-2-202, 87-2-203
  - unsold, accountability, 87-2-902

Aircraft, airports, or landing fields — use, 87-3-126
Animal calls or sounds, use, 87-1-102, 87-3-108
Antelope, See **Bow and arrow; Game animal farms; Game animals**
Antlers, 87-3-102, 87-3-111, 87-3-307
Aquatic ecosystem protection, Title 75, chapter 7
Aquatic fish food organisms, regulation of commercial taking, 87-4-609, 87-4-610
Archery, See **Bow and arrow**
Auctions
- confiscated or destroyed birds and animals, See **Confiscation or seizure**, sales
- moose, shiras — license, 87-2-724
- mountain sheep license, 87-2-722

Bag limits, 87-1-304, 87-3-121, 87-3-403
Bait, restrictions, 87-3-203, 87-3-204, 87-3-206
Bears, See **Game animal farms; Game animals; Tattooing of certain animals**
Beavers and dams, 87-1-224, 87-2-101, 87-3-501, 87-3-503, 87-4-1001, See **Fur-bearing animals; Fur farms**
Bighorn sheep, 87-1-102, 87-1-111, See **Game animal farms; Game animals**
Biological matters, See **Scientific purposes**
Birds, See **Game bird farms; Game birds; Nongame and endangered species; Preserves and refuges; Raptors; Shooting preserves**
Bison
- management policy, 87-1-215
- national bison range, establishment and development, 87-1-711, 87-1-712
- unlawful taking, killing, possessing, transporting, or wasting, 87-1-102, 87-1-111
- wild buffalo, 87-1-101, 87-1-215, See **Game animals**

Boats and boating, See also **BOATS AND BOATING**
- fort peck dam territory, rights, 2-1-209
- restrictions, 23-2-525, 87-3-126, 87-3-203

Bobcats, 87-1-111, 87-2-101, 87-2-601, 87-2-602, 87-3-124, 87-3-127, 87-4-1001, See **Fur-bearing animals; Fur farms**
Body parts
- game animal farms, sale, 87-4-416
- game bird farms, sale, 87-4-911
- grizzly bear, 87-1-511, 87-4-702, 87-5-302

Boone and Crockett Trophy Institute, 87-3-307
Bounties, 87-1-206
Bow and arrow
- certificate of completion, requirements, 87-2-105
- fish, taking with, 87-1-301, 87-3-204
- hunting with, 23-2-302, 87-1-301, 87-1-304, 87-2-105, 87-5-405
- licensing, 49-3-204, 87-2-105, 87-2-708
- restrictions, 87-1-301, 87-3-135
- shooting ranges, 76-9-101 — 76-9-105

FISH AND WILDLIFE (Continued)

Buffalo, wild — management policy, 87-1-215, See also **Bison**
Camping at public fishing reservoirs or lakes, 87-2-112, See **CAMPING AND CAMPGROUNDS**
Captivity, keeping in, See **Fur farms; Game animal farms; Game bird farms; Tattooing of certain animals; Zoos and menageries**
Carcasses
- abandonment, 87-1-102, 87-3-102
- frozen food lockers, requirements, 50-50-401, 50-50-402
- game animal farms, sale, 87-4-416
- game bird farms, sale, 87-4-911
- scientific purposes, parts specified for, 87-3-102
- tagging, 50-50-401, 87-2-509, 87-5-302
- taxidermists, 87-1-201
- waste, 87-1-102, 87-3-102

Caribou, 87-1-102, 87-1-111, 87-2-101, 87-4-406, See **Game animal farms; Game animals**
Carriers, 87-1-102, 87-3-115
Checking stations, 87-1-207, 87-1-208
Cities and towns, powers, 7-1-111, 7-21-4202
Civet cat, 87-2-101; Title 81, chapter 7, See **PREDATORS AND PREDATOR CONTROL**
Closed districts, posting, 87-5-402
Closure of areas for fishing and hunting, 87-1-304
Commission, Title 87, chapter 1, part 3, See **FISH, WILDLIFE, AND PARKS COMMISSION**
Community service corps and volunteer projects, 90-14-105
Concealed weapons, exemption from criminal provisions, 45-8-317
Confiscation or seizure
- carriers' shipments of fish and game, 87-1-102, 87-3-115
- donations of meat to public entities, 87-1-512
- fur-bearing animal pelts possessed unlawfully, 87-1-102
- game or hides, 87-1-201, 87-1-513, 87-5-111
- grizzly bears or parts, disposition, 87-1-511
- records, 87-1-514
- sales
  - birds or animals, 87-1-511
  - certificate, issuance, 87-1-512
  - meat of wild animals damaging property, 87-1-226
  - procedures, 87-1-226, 87-1-511
  - proceeds, disposition, 87-1-201, 87-1-513, 87-1-601
- wardens' powers and liability, 87-1-506, 87-1-513
- zoos and menageries, confiscation of wildlife, 87-4-807

Conservancy districts to enhance habitat, 85-9-101, 85-9-102, See also **WATER CONSERVANCY DISTRICTS**
Construction or hydraulic projects, 87-5-502 — 87-5-505, See **RIVERS AND STREAMS, Construction or hydraulic projects**
Contests prohibited when, 87-1-102, 87-3-121, 87-3-307
Cooperative agreements, See **FISH, WILDLIFE, AND PARKS COMMISSION; FISH, WILDLIFE, AND PARKS — DEPARTMENT OF**
Counties
- cost bills for prosecution of violations, payment, 87-1-104, 87-1-601
- explosives, furnishing, 87-1-224
- federal waterfowl and wildlife area acquisitions, review and hearings, 87-1-713, 87-1-714
- habitat, acquisition — impact analysis, 87-1-241
- land owned by, improvement, 7-8-2501
- land payments to, in lieu of taxes, 87-1-603, 87-1-604
- powers, 7-1-111

FISH AND WILDLIFE (Continued)

County water and/or sewer district projects, 7-13-2218
Coyotes, 87-1-231, 87-1-233, 87-2-101, See **Tattooing of certain animals**; See also **PREDATORS AND PREDATOR CONTROL**
Crawdads or crayfish, regulation of commercial taking, 87-4-608 — 87-4-610
Crimes, See **Violations**
Crimestoppers program
  board, 2-15-3404
  citation of fish and wildlife crimestoppers act, 87-5-601
  confidentiality, 87-5-606
  functions, 87-5-603
  rewards, 87-5-603, 87-5-605
Damage to property, See **Lands or waters**, damage to
Dead animals, dumping or leaving, 75-10-212, 75-10-233
Deadfall, use prohibited, 87-3-127
Decoys, 87-3-109, 87-3-401
Deer, See **Game animal farms**; **Game animals**
Dingell-Johnson Bill, assent to, 87-1-701 — 87-1-703
Disabled persons, 87-2-103, 87-2-403, 87-2-706, 87-2-803, 87-2-804
Disease control, 87-1-215, 87-4-415, 87-4-424
Districts
  administrative, 2-15-1883, 2-15-3402
  creation and posting, 87-1-304, 87-5-402
Dogs, restrictions on use, 45-8-210, 87-3-124, 87-4-915, 87-5-401
Drawing system for special licenses and seasons
  account, 87-1-601
  antelope, 87-2-706
  elk permits, 87-2-705
  fees, 87-1-601, 87-2-113
  nonresident big game or deer combination licenses, when, 87-2-511
  required, 87-1-304
  unlawful entry, 87-1-102
  wild turkey tags, 87-2-403
Dressing game, provisions for, 87-1-102, 87-2-803, 87-3-102
Dumping garbage, dead animals, or refuse, 75-10-212, 75-10-233
Eagles, 87-1-111, 87-5-201, 87-5-202, 87-5-205, 87-5-209, See **Raptors**
Elk, See **Game animal farms**; **Game animals**
Endangered species, Title 87, chapter 5, part 1, See **Nongame and endangered species**
Enforcement, generally, 87-1-201, 87-1-404
  duties of attorney general and county attorneys, 87-1-105
  ex officio wardens, 87-1-503
  federal laws, 87-3-403
  nongame and endangered species provisions, 87-5-111
  private property, protection, 87-1-504
  wardens
    confiscated birds and animals, sale — disposition, 87-1-511 — 87-1-514
    duties and powers, 87-1-502, 87-1-504 — 87-1-506
    selection and oath, 87-1-501
  zoos and menageries, 87-4-807
Environmental contingency account, use, 75-1-1101
Equine activities, liability, 27-1-725 — 27-1-728
Estate taxes, in-kind payment for preservation of wildlife habitat, 72-16-445
Exceptions to requirements, Title 87, chapter 2, part 8
  blind or disabled persons, 87-2-803
  indians, 87-1-228
  institutions, state — patients in, 87-2-802

FISH AND WILDLIFE (Continued)
Exceptions to requirements (Continued)

- minors under age 15, 87-2-805
- residents over age 62, 87-2-801
- revocation, 87-2-804
- scientific purposes, taking fish and game for, 87-2-806
- veterans in VA hospitals, 87-2-802

Explosives, use, 87-1-102, 87-2-806, 87-3-206
Falconry and falcons, See **Raptors**
Farm animal and research facilities protection, Title 81, chapter 30, part 1
Federal-state relationships, Title 87, chapter 1, part 7
- avicultural permits, 87-2-807
- benton lake wildlife refuge, water supply, 87-1-707
- birds, federal regulations, 87-3-403, 87-5-205, 87-5-209
- bison herd in yellowstone national park, management agreement, 87-1-215
- cooperative agreements, 87-1-210, 87-1-303
- dingell-johnson bill, 87-1-701 — 87-1-703
- falconry and raptors, conformance of laws, 87-5-204, 87-5-210
- fish
  - hatching operations, 87-1-704
  - restoration and management projects, 87-1-701 — 87-1-703
- fish and wildlife resources, projects adversely affecting, 87-5-508
- flathead county migratory bird reserve, establishment and regulation, 87-1-705, 87-1-706
- funds, 87-1-601
- grizzly bear parts, sale, 87-1-511
- hunter license fees, use for department purposes only, 87-1-710
- hunting restrictions, 87-3-125, 87-3-126
- hunting rights on adjoining land, 87-1-227
- land acquisition by federal government, 87-1-705, 87-1-711, 87-1-713
- land and water conservation fund act, 23-2-101 — 23-2-103
- national bison range, establishment and development, 87-1-711, 87-1-712
- nongame or endangered species management, 87-5-107, 87-5-108, 87-5-112
- parks, 23-1-107
- pittman-robertson act, 87-1-708 — 87-1-710
- river restoration program, cooperation, 87-1-257
- stock-killing animals, taking of 87-3-127
- tattooing of certain animals, 87-1-231
- waterfowl and wildlife area acquisitions, 87-1-713, 87-1-714
- wildlife restoration and management projects, 87-1-708 — 87-1-710

Federal territory, rights within, 2-1-202, 2-1-209
Fences
- failure to close, 45-6-101
- fur farms, 87-4-1003, 87-4-1012
- game animal farms, 87-4-409, 87-4-410, 87-4-422
- game bird farms, 87-4-904, 87-4-906, 87-4-913
- habitat, acquisition — maintenance, 87-1-241

Feral species, 87-5-702, 87-5-715
Field trials, 87-3-124, 87-4-915
Finance, Title 87, chapter 1, part 6, See **Funds and funding**
Fines, bonds, and penalties
- bonding requirements
  - fish pond licensee, 87-4-603
  - license agents, 87-2-902
- collection, 87-1-103
- construction projects adversely affecting stream preservation, violation, 87-5-509
- disposition, 19-8-504, 87-1-201, 87-1-228, 87-1-601, 87-4-808
- game animal farms, 87-4-423, 87-4-426

FISH AND WILDLIFE (Continued)
Fines, bonds, and penalties (Continued)

- garments for hunters, violation of color requirements, 87-3-302
- importation, introduction, or transplantation violations, 87-5-721
- nongame and endangered species violations, 87-5-111
- penalty clause, general, 87-1-102
- prosecution costs paid from, 87-1-601
- restitution for illegal killing or possession, nonpayment, 87-1-113
- stream preservation violations, fines, 87-5-509
- unlawfully taken crayfish, 87-4-608
- unlawfully taken wildlife, sale or possession, 87-3-111, 87-3-112, 87-3-118
- violations and penalties, See **Violations**
- waste of game, 87-3-102
- zoos and menageries, collection and disposition, 87-4-808

Firearms, See **Guns**
Fire danger areas, fishing and hunting in, 87-3-106
Fish and game wardens, Title 87, chapter 1, part 5, See **Enforcement**
Fish and fishing

- access sites, See **Access sites**
- acquisition, importation, and propagation, 87-1-221
- administrative rules, nonapplicability, 2-4-102
- aquatic ecosystem protections, Title 75, chapter 7
- aquatic fish food organisms, regulation of commercial taking, 87-4-609, 87-4-610
- archery, 87-1-301, 87-3-204, See **Bow and arrow**
- bait, fish as, 87-3-203, 87-3-204, 87-3-206
- blind persons, lifetime license, 87-2-803
- caged, placement in public waters, 87-3-207, 87-3-208, 87-5-703
- concealed weapons, exemption from criminal provisions, 45-8-317
- conservation, 23-2-407, 87-1-701 — 87-1-703
- contests or derbies, 23-5-165, 87-3-121
- diseased fish or eggs
  - civil liability, 87-3-227
  - duty to report, 87-3-226
  - interstate movement unlawful, 87-3-209
  - inspection, quarantine, and disinfection, 87-3-225
- explosives or poison, use prohibited, 87-1-102, 87-2-806, 87-3-204, 87-3-206
- farm animal and research facilities protection, Title 81, chapter 30, part 1
- federal lands, jurisdiction, 2-1-202, 2-1-209
- game fish, defined, 87-2-101
- hatcheries
  - construction and maintenance, 87-1-221, 87-1-222, 87-3-201
  - federal operations, 87-1-704
  - fish, eggs, or spawn — taking for, 87-4-601
  - fish pathogens, 87-3-225 — 87-3-227
  - floodways, within, Title 76, chapter 5, See **FLOODPLAINS AND FLOODWAYS, Uses within**
  - funding, 17-5-416, 17-5-425, 87-1-221, 87-1-222
  - inspection, quarantine, and disinfection, 87-3-225, 87-3-227, 87-5-703
  - lands or waters for, 87-1-209
  - supervision and control, 87-3-201, 87-3-202
- illegally taken fish
  - removal from state, 87-1-102, 87-3-113
  - restitution, 87-1-102, 87-1-111 — 87-1-114
- importation, See **Importation, introduction, and transplantation**
- indians, agreement concerning, 87-1-228
- inspection of fish or license, 87-1-502
- interstate fishing privileges, Title 87, chapter 2, part 10

FISH AND WILDLIFE (Continued)
Fish and fishing (Continued)

- landowner's liability, 70-16-301, 70-16-302
- license, See also **Types of licenses enumerated**
  - alteration or transfer, 87-2-110
  - application, penalties, and forfeiture, 87-2-106, 87-2-112
  - blind or disabled persons, 87-2-803
  - carrying and exhibiting, 87-1-102, 87-2-103, 87-2-109
  - classes and fees enumerated, 87-2-301, 87-2-302, 87-2-304, 87-2-306, 87-2-711
  - discrimination in issuance prohibited, 49-3-204
  - exemptions, 87-2-802, 87-2-804
  - family members, purchase for — when, 87-2-106
  - form, 87-2-107
  - indian tribal council, joint issuance with, 87-1-228
  - minors under age 15, 87-2-805
  - nonresident, 87-1-258, 87-1-259, 87-1-605, 87-2-302, 87-2-304, 87-2-805
  - number allowed, 87-2-104
  - paddlefish tags, 87-2-306
  - privilege, revocation, 87-1-102, 87-2-112, 87-2-804
  - required, 87-2-103
  - resident, 87-1-258, 87-1-259, 87-1-605, 87-2-102, 87-2-301
  - sale, unlawful, 87-2-203
  - senior citizens, 87-2-801, 87-2-804
  - sportsman's, 87-2-711
  - wildlife conservation license, prerequisite, 87-2-201
- management projects, 87-1-210, 87-4-601
- methods of taking, 87-3-204 — 87-3-206
- navigable waters, fishing rights — subject to, 87-2-305
- nonsalmonid or salmonid fish or eggs
  - certification requirements, 87-3-221, 87-3-222
  - enforcement of provisions, 87-3-224
  - fish pathogens, 87-3-209, 87-3-221, 87-3-222
  - importation, 87-3-210, 87-3-221, 87-3-222, 87-5-703
  - intrastate movement unlawful when, 87-3-209, 87-5-703
  - penalty for violations, 87-1-102, 87-3-224, 87-3-227
  - permits, 87-3-210, 87-3-221
  - testing and inspections, rules, 87-3-223
- outfitters and guides, Title 37, chapter 47
- paddlefish
  - "game fish" defined, 87-2-101
  - illegal killing or possession, restitution for, 87-1-111
  - roe, donation and sale as caviar and disposition of proceeds, 87-3-111, 87-4-601
  - sale of fish or spawn unlawful — exceptions, 87-4-601
  - snagging or taking with bow and arrow, 87-3-204
  - tags, 87-2-306, 87-4-601
- pathogens, 87-3-209, 87-3-221, 87-3-222, 87-3-225 — 87-3-227
- possession, 87-1-102, 87-1-111, 87-3-112
- private fish ponds, 49-3-204, 87-4-603, 87-4-606, 87-4-607
- privileges, forfeiture, 87-1-102, 87-1-108, 87-2-112
- prizes, 87-3-121
- public areas, See **Access sites**; **Lands or waters**, public fishing areas
- recreation, fishing as, 23-2-301, 70-16-301
- restitution for illegal killing or possession, 87-1-111 — 87-1-114
- restoration and management projects, 87-1-701 — 87-1-703
- river restoration program, 87-1-255 — 87-1-259, See **RIVERS AND STREAMS, Restoration**
- sale, 87-1-102, 87-4-601, 87-4-603, 87-4-606

FISH AND WILDLIFE (Continued)
Fish and fishing (Continued)

- scientific purposes, 87-1-221, 87-2-806, 87-5-711
- seasons, 87-1-304, 87-2-101, 87-4-609
- smith river management, Title 23, chapter 2, part 4, See **RIVERS AND STREAMS**
- stream access law, Title 23, chapter 2, part 3, See **RIVERS AND STREAMS, Recreational use**
- streamflow maintained by lease of appropriation rights, 85-2-102, 85-2-402, 85-2-404, 85-2-436 — 85-2-438, 87-1-610
- tourist-oriented directional signs, business eligibility, 60-5-522
- traps, seines, and nets, 87-1-102, 87-3-201, 87-3-204, 87-3-205, 87-4-602
- violations
  - fishing unlawful when, 87-3-104
  - game fish — sale, shipment, or possession, 87-1-111, 87-3-112
  - general penalty clause, 87-1-102
  - implements, possession unlawful when, 87-3-112
  - importation, introduction, or transplantation, 87-5-721
  - sale of fish or spawn, 87-4-601
  - salmonid fish or eggs, 87-3-209, 87-3-221, 87-3-222, 87-3-224, 87-3-227
- water supply — improvement, development, and conservation, 85-9-102
- whitefish, catching and sales, 87-2-101, 87-3-204, 87-4-601, 87-4-605, 87-5-714

Fish, Wildlife, and Parks Commission, Title 87, chapter 1, part 3, See **FISH, WILDLIFE, AND PARKS COMMISSION**
Flathead Lake bird preserve, 87-5-404, See also **Preserves and refuges**
Flood control projects, Title 76, chapter 5, part 11, See **FLOODS**
Floodways, areas within, Title 76, chapter 5, See **FLOODPLAINS AND FLOODWAYS, Uses within**
Forest practices in streamside management zones, 77-5-301 — 77-5-307
Fort Peck Dam territory, rights within, 2-1-209
Funds and funding

- appropriations, 87-1-201, 87-1-242, 87-1-246, 87-1-258, 87-1-601
- coal tax revenue trust fund, 23-1-108
- confiscated or destroyed wildlife sales, payment of advertising costs, 87-1-513
- control, departmental, 87-1-201
- counties, payments to in lieu of taxes, 87-1-603
- crimestoppers program, 87-5-605
- deposit requirements for public funds, nonapplicability when, 23-1-105, 87-1-601
- disposition of proceeds generally, 87-1-114, 87-1-601
- federal special revenue fund, 87-1-601, 87-1-602
- fines, money from, 19-8-504, 87-1-201, 87-1-601, 87-4-808
- "fish and game fund" defined, 87-1-601
- fish and wildlife mitigation trust fund, 87-1-610 — 87-1-615
- fish propagation, 87-1-221
- game wardens' retirement contributions, 19-8-501, 19-8-504
- general fund, payments from, 87-1-602
- gifts, grants, or donations, 23-1-102, 87-1-201, 87-1-258, 87-1-611, 87-1-612, 87-1-614, 87-5-605
- historic site acquisitions, 23-1-108
- lease of appropriation rights to maintain streamflow for fisheries, contributions and spending authority, 87-1-610
- licenses and permits
  - accounts, 87-1-601
  - auction proceeds, 87-1-601, 87-2-722, 87-2-724
  - fees, 87-1-201, 87-1-242, 87-1-246, 87-1-601, 87-1-605, 87-1-701, 87-1-708, 87-1-710, 87-2-204, 87-2-412, 87-4-602, 87-4-610
- meat of animals damaging property, from, 87-1-513
- moose management, 87-1-601, 87-2-724

FISH AND WILDLIFE (Continued)
Funds and funding (Continued)

- mountain sheep, benefit, 87-1-601, 87-2-722
- nonexpendable trust fund account, 87-1-242, 87-1-601
- nongame wildlife account, 15-30-150, 87-5-102, 87-5-121, 87-5-122
- paddlefish egg caviar products, from, 87-4-601
- park acquisitions, fees and charges, 23-1-105, 23-1-108
- pheasant release program, 87-1-247, 87-1-248
- predator control, 81-7-102, 87-1-221
- restitution payments for illegal killing or possession, 87-1-114
- river restoration program, 87-1-258, 87-1-601
- seized game or hides, from, 87-1-201, 87-1-513, 87-1-601
  - payments from
    - bounty claims, 87-1-206
    - cost bills for prosecution of violations, 87-1-104
    - laws, publication expenses, 87-1-405
    - outfitters' pamphlets, publication expenses, 37-47-201
    - river restoration program, 87-1-258
    - salaries, expenses, per diem, and claims, 87-1-602
- trust funds, 87-1-242, 87-1-601, 87-1-611 — 87-1-615
- upland game bird enhancement program, 87-1-246 — 87-1-248, 87-1-601
- wardens, ex officio — payment of travel expenses, 87-1-503
- wetlands protection, conservation, and development, 87-1-601, 87-2-412
- wildlife protection and propagation, 87-1-221

Fur-bearing animals, Title 87, chapter 3, part 5, See also **Fur farms**
- beaver or muskrat, destruction or removal, 76-16-107, 87-1-224, 87-3-501, 87-3-503, 87-3-505
- bobcats, hunting or trapping, 87-2-601, 87-2-602, 87-3-124, 87-3-127
- capture unlawful, 87-4-1014
- closed season violations, 87-1-102, 87-2-103, 87-3-501, 87-3-505
- harassment prohibited, 23-2-633, 87-3-126
- importation
  - general provisions, 87-1-221
  - unlawful, 87-1-102, 87-2-103
- management projects, 87-1-210
- marten, trapping and tagging, 87-3-505
- ownership, subject to, 50-23-102
- pelts, hides, or skins — sale, shipment, or possession unlawful when, 87-1-102, 87-3-501, 87-3-505
- preserves, restrictions, 87-5-406, See **Preserves and refuges**
- rabies control, Title 50, chapter 23, part 1, See **Rabies control**
- restitution for illegal killing or possession, 87-1-102, 87-1-111 — 87-1-114
- sales, shipment, or possession, 50-23-102, 87-1-102, 87-1-111, 87-3-501
- seasons for hunting or trapping, 87-1-102 — 87-1-104, 87-1-304, 87-3-501, 87-3-505
- snowmobiles, driving or harassing animals with — prohibited when, 23-2-633
- trapping of lynx or wolverine, 87-2-601, 87-2-602, See also **Trapping**
- unlawfully taken wildlife, 87-2-103, 87-3-111, 87-3-117
  - penalties prescribed, 87-1-102
  - removal from state, 87-1-102, 87-3-113
  - restitution, 87-1-102, 87-1-111 — 87-1-114
  - sale or possession, 87-3-112, 87-3-118
- waste, 87-3-506

Fur farms, Title 87, chapter 4, part 10, See also **Fur-bearing animals**
- capture of animals unlawful, 87-4-1014
- employees, compensation, 39-3-402, 39-3-404 — 39-3-406
- farm animal and research facilities protection, Title 81, chapter 30, part 1
- fur dealers, Title 87, chapter 4, part 3

FISH AND WILDLIFE (Continued)
Fur farms (Continued)
  fur dealers (Continued)
    license requirements, 49-3-204, 87-4-303 — 87-4-305
    nonresidents, 87-4-301, 87-4-304
    records, 87-4-302
    sales, 87-4-303, 87-4-1010
    violations and penalty, 87-1-102, 87-4-306
  inspections, 87-4-1007
  license required, 87-4-1002
    application and requirements, 87-4-1003
    fee, 87-1-606, 87-4-1004
    nonresident licensees, 87-4-1003
    nontransferability, 87-4-1006
    renewal and term, 87-4-1005, 87-4-1006
    revocation, 87-4-1013
  nonresident licensees, agent for, 87-4-1003
  operation, changes and conformance, 87-4-1005, 87-4-1013
  private property of licensee, furbearers as, 87-4-1008
  records and reporting, 87-4-1007, 87-4-1011, 87-4-1012
  rules, 87-4-1004, 87-4-1012
  species managed and plans, changes, 87-4-1003, 87-4-1005
  transfer or sale of furbearers, 87-4-1008, 87-4-1011
  transportation of furbearers, 87-4-1009
  unemployment insurance coverage, 39-51-205, See **UNEMPLOYMENT INSURANCE, Agricultural labor**
  violations, 87-1-102, 87-4-1013, 87-4-1014
Game animal farms, Title 87, chapter 4, part 4, See also **Game animals**
  acquisition of animals, 87-4-409, 87-4-414
  administrative hearing, right to, 87-4-428
  base number of game animals, 87-4-410
  brands required, 81-3-102, 81-3-201
  capture of animals, unlawful, 87-4-418
  construction and maintenance, 87-1-221
  definitions, 87-2-702, 87-4-406
  disease control, 87-4-424
  employees, compensation, 39-3-402, 39-3-405, 39-3-406
  escape of animals, 87-4-409, 87-4-419
  fees, 87-4-411, 87-4-412
  fences, design and construction, 87-4-409, 87-4-422, 87-4-426, 87-4-427
  fines, 87-4-423
  floodways, within, Title 76, chapter 5, See **FLOODPLAINS AND FLOODWAYS, Uses within**
  funding, 87-1-221
  health certification, 87-4-408, 87-4-414, 87-4-415
  hunting, base number of game animals, 87-4-410
  importation of animals, 87-4-414, 87-4-415, 87-4-422, 87-4-424, 87-5-703
  inspections, 87-4-408, 87-4-413 — 87-4-415
  jurisdiction of department, 87-4-408
  lands or waters acquired for, 87-1-209
  license required, 87-4-407
    administrative hearing, 87-4-428
    applications, 87-4-409, 87-4-412, 87-4-413, 87-4-426
    denial, 87-4-409, 87-4-426
    issuance, criteria, 87-4-426
    multiple, fee limitation, 87-1-606
    nonresident licensees, 87-4-409
    renewal, 87-4-411, 87-4-412

FISH AND WILDLIFE (Continued)

Game animal farms (Continued)
- license required (Continued)
  - revocation, 87-4-423, 87-4-427
  - stipulations, issuance with, 87-4-426
  - term and transferability, 87-4-412
- livestock laws and rules, applicability, 87-4-408, 87-4-414, 87-4-415
- location, 87-4-409, 87-4-413
- marking of animals, 87-4-408, 87-4-414, 87-4-417, 87-4-422
- meat, animals sold for, 87-4-416
  - inspection provisions, 81-9-217, 81-9-232, See also **MEAT AND MEAT PRODUCTS**
- private property of licensee, animal as, 87-4-414
- quarantine, 87-4-415
- records, 87-4-413, 87-4-416, 87-4-417
- removal of base number of game animals, 87-4-410
- reports, 87-4-417, 87-4-422
- sales or transfers, 87-4-414, 87-4-415
  - game parts, meats, and byproducts, 87-4-416
  - records and reporting, 87-4-417
- species proposed to be kept, 87-4-409, 87-4-424
- state veterinarian, duties, 87-4-426
- taxation of animals, 87-4-414, 87-4-420
- transportation of animals, 87-4-408, 87-4-414 — 87-4-416, 87-4-422
- unemployment insurance coverage, 39-51-205, See **UNEMPLOYMENT INSURANCE, Agricultural labor**
- violations, 87-4-407, 87-4-418, 87-4-423, 87-4-427

Game animals, Title 87, chapter 3, part 3, See also **Game animal farms**
- abandonment of carcasses, 87-1-102, 87-3-102
- acquisition for propagation or scientific purposes, 87-1-221
- bison or wild buffalo, 87-2-101, 87-1-215
- capture unlawful, 87-4-418
- carcasses, See **Carcasses**
- city limits, taking deer within, 87-3-305
- closed season violations, 87-3-104
- commercial sales, 87-4-701 — 87-4-705
- confiscation, See **Confiscation or seizure**
- dogs killing or attacking, destruction, 87-3-124
- frozen food lockers, requirements, 50-50-401, 50-50-402
- game animal farms, applicability of laws, 87-4-414
- harassment prohibited, 23-2-633, 87-3-125, 87-3-126, 87-5-207
- importation, 87-1-221, 87-4-407, 87-4-426, 87-5-714, See also **Importation, introduction, and transplantation**
- license to hunt, See also **Hunting, general provisions**
  - antelope, 87-2-701
  - auctions of special, 87-2-722, 87-2-724
  - bear
    - black or brown, 87-2-501, 87-2-701
    - grizzly, 87-2-701
  - deer tags — resident, nonresident, and combination, 87-2-501, 87-2-504, 87-2-505, 87-2-510
  - moose, 87-2-701
  - mountain lion, goat, or sheep, 87-2-507, 87-2-508, 87-2-701
  - nonresident big game combination, 87-2-505
  - outfitter services, use — reserved, 87-2-511
  - special bow and arrow, 87-2-708
  - special or combination, 87-2-701, 87-2-704, 87-2-705, 87-2-708
  - sportsman's, 87-2-711
  - trophy, 87-2-701, 87-2-507, 87-2-508

FISH AND WILDLIFE (Continued)
Game animals (Continued)
  license to hunt (Continued)
    wildlife conservation, 87-2-202
  limitation on kill, 87-1-102, 87-3-103
  possession, 87-1-102, 87-1-111, 87-3-112
  preserves and refuges, restrictions, See **Preserves and refuges**
  ranges, acquisition, 87-1-209
  raptors, harassment by, 87-5-207
  restitution for illegal killing or possession, 87-1-102, 87-1-111 — 87-1-114
  scientific purposes
    acquisition for, 87-1-221
    permit to take for, 87-2-806, 87-5-109
  seasons for hunting, 87-1-304, 87-2-101, 87-3-104, 87-4-410
  snowmobiles, using to drive or harass animals prohibited when, 23-2-633
  stock-killing animals, management, 87-3-127
  tagging carcasses, See **Tags and tagging**
  tattoo requirements, applicability, 87-1-234
  unlawfully taken wildlife, 87-2-103, 87-3-111, 87-3-117
    penalties prescribed, 87-1-102
    removal from state, 87-1-102, 87-3-113
    restitution, 87-1-102, 87-1-111 — 87-1-114
    sale or possession, 87-3-112, 87-3-118
  waste, 87-1-102, 87-3-102
Game bird farms, Title 87, chapter 4, part 9, See also **Game birds**
  construction and maintenance, 87-1-221
  definitions, 87-4-901, 87-4-915
  employees, compensation, 39-3-402, 39-3-404 — 39-3-406
  exemptions, 87-4-902
  fence or enclosure, requirements, 87-4-904, 87-4-906, 87-4-913
  field trials with dogs, permit, 87-4-915
  funding, 87-1-221
  hearings, 87-4-916
  inspections, 87-4-908
  lands or waters acquired for, 87-1-209
  license required, 87-4-903
    applications, 87-4-904
    conditions and term, 87-4-906
    fee, 87-1-606, 87-4-905
    inspection of facilities and records, 87-4-908
    nontransferability, 87-4-907
    renewal, 87-4-905, 87-4-906
    revocation, 87-4-916
    rules, 87-4-913
  migratory game bird avicultural permit and exemption, 87-2-807, 87-4-902
  operation, 87-4-906, 87-4-916
  permits for field trials with dogs, 87-4-915
  private property, birds as, 87-4-909
  records and reporting, 87-4-912, 87-4-913
  release of birds into wild, 87-4-914
  rules, 87-4-905, 87-4-913, 87-4-916
  sales or transfers, 87-4-901, 87-4-909, 87-4-911, 87-4-912
  transportation of birds, 87-4-910
  violations, 87-1-102, 87-4-916
Game birds, Title 87, chapter 3, part 4, See also **Game bird farms**
  acquisition for propagation or scientific purposes, 87-1-221
  bag limits, 87-1-304, 87-3-121, 87-3-403
  closed season violations, 87-1-102, 87-3-104, 87-3-402

FISH AND WILDLIFE (Continued)
Game birds (Continued)

- commercial sales, 87-4-701 — 87-4-705
- dogs, restrictions on use, 87-3-124, 87-4-915
- frozen food lockers, requirements, 50-50-401, 50-50-402
- harassment prohibited, 23-2-633, 87-3-125, 87-3-126
- importation, 87-1-221, See also **Importation, introduction, and transplantation**
- licenses to hunt, See also **Hunting, general provisions**
  - nonresident, 87-2-402, 87-2-404
  - resident, 87-2-401
  - sportsman's license, 87-2-711
  - three-day nonresident captive-reared bird hunting stamp, 87-2-404
  - upland game bird, 87-1-246, 87-2-401, 87-2-402
  - waterfowl stamp, 87-2-411
  - wildlife conservation license, prerequisite, 87-2-201
  - wild turkey tags, 87-2-403
- migratory game bird, defined, 87-2-101
  - avicultural permits, 87-2-807, 87-4-902
  - blinds, use, 23-2-302, 87-3-401
- pheasant release program, 87-1-247, 87-1-248
- possession, 87-1-102, 87-1-111, 87-3-112
- preservation, propagation, or protection, 87-1-221, 87-1-301, 87-1-713, 87-1-714
- preserves and refuges, See **Preserves and refuges**
- raptors, use in hunting, 87-5-204, 87-5-207
- restitution for illegal killing or possession, 87-1-102, 87-1-111 — 87-1-114
- scientific purposes, for, 87-1-221
- seasons for hunting, 87-1-304, 87-2-101, 87-3-402, 87-3-403
- shotgun restrictions, 87-3-401
- shooting preserves, 87-4-504, See **Shooting preserves**
- tags
  - failure to tag, 50-50-401, 87-1-102, 87-3-405
  - field trials, live birds, 87-4-915
- turkeys, 87-1-102
  - preserves, hunted in, 87-4-522
  - tag and tagging, 87-2-403, 87-3-404, 87-3-405
- unlawfully taken wildlife, 87-2-103, 87-3-111, 87-3-117
  - penalties prescribed, 87-1-102
  - removal from state, 87-1-113
  - restitution, 87-1-111 — 87-1-114
  - sale or possession, 87-3-112, 87-3-118
- upland game birds, 87-2-101, 87-1-246 — 87-1-250, 87-1-601
- waste, 87-1-102, 87-3-102
- waterfowl, defined, 87-2-101, 87-2-411
  - areas, acquisition, 87-1-713, 87-1-714
  - blinds, hunting from, 23-2-302, 87-3-401
  - food, funds for, 87-1-221
  - shotguns, hunting restrictions, 87-3-401
  - stamp, 87-2-411, 87-2-412
  - wetlands protection, conservation, and development, 87-2-412
- wetlands, protection and development, 87-2-412

Game fish, defined, 87-2-101, See **Fish and fishing**
Game preserves, See **Preserves and refuges; Shooting preserves**
Game wardens, Title 87, chapter 1, part 5, See **Enforcement**
Garbage, dumping or leaving, 75-10-212, 75-10-233
Gates, failure to close, 45-6-101
Gates of the Mountains game preserve, 87-5-406, See also **Preserves and refuges**

FISH AND WILDLIFE (Continued)

Gifts, grants, or donations, 23-1-102, 87-1-201, 87-1-209, 87-1-221, 87-1-258, 87-1-611, 87-1-612, 87-1-614, 87-1-702, 87-1-703, 87-1-708, 87-1-709, 87-3-121, 87-5-605
Grazing districts, wildlife protection within, 76-16-107, See also **GRAZING DISTRICTS**
Grizzly bear, See also **Game animals**
  commercial sale prohibited, 87-4-702
  hunting license, 87-2-701, 87-2-702
  policy of state, 87-5-301
  sale
    hides, heads, and mounts, — prohibited, 87-3-111, 87-4-702
    registration for, 87-3-110
      regulations, 87-4-702, 87-5-302, 87-5-703
  seized bears or parts, disposition, 87-1-511
  state animal, 1-1-508
  rules for tagging, possession, and transportation, 87-1-201, 87-5-302
  stock-killing, 87-3-127
  traps, inspection, 87-3-127
Guns, See also **WEAPONS, Firearms**
  concealed weapons, exemption from criminal provisions when, 45-8-317
  preserves, prohibited, in, 87-5-401
  rifle restrictions, 87-3-123, 87-3-401
  shotgun restrictions, 23-2-302, 87-1-304, 87-3-301, 87-3-401
Habitat
  acquisition, 87-1-241, 87-1-242, 87-5-108
  conservancy districts, purpose, 85-9-101, 85-9-102, See also **WATER CONSERVANCY DISTRICTS**
  construction or hydraulic projects affecting, 87-5-504
  funding, 87-1-242, 87-4-601
  importation, introduction, or transplantation — effect, 87-5-701, 87-5-712, 87-5-715
  megalandfill siting applicants, mitigation of loss, 75-10-929
  "natural habitat" defined, 87-5-702
  nongame and endangered species, 87-5-102, 87-5-104, 87-5-108
  pheasants, 87-1-247, 87-1-248
  river restoration program, 87-1-257
  streamside management zones, 77-5-301 — 77-5-307
  upland game bird enhancement program, 87-1-246 — 87-1-250
Handicapped persons, hunting by, 87-2-803
Harassment unlawful, 23-2-633, 87-1-102, 87-3-125, 87-5-207
  hunters or trappers, 87-3-141 — 87-3-144
Hatcheries, See **Fish and fishing**
Hawks, 87-5-202, 87-5-209, See **Raptors**
Hazardous or deleterious substances, remedial action upon release, Title 75, chapter 10, part 7, See **HAZARDOUS WASTES, Remedial action upon release of hazardous substance**
Hides, heads, or mounts
  abandonment in field prohibited, 87-3-102
  confiscated or seized game or hides
    certificate of sale, 87-1-512
    disposition of proceeds, 87-1-201, 87-1-511, 87-1-601
  fur-bearing animals, See **Fur-bearing animals**
  grizzly bear, 87-3-110, 87-5-302, 87-4-702
  sale, purchase, or transfer, 87-3-111
  taxidermists, 87-4-201
Highways, hunting from or on, 61-8-369, 87-1-102, 87-2-803, 87-3-101
Hunter safety course requirements, 45-8-321, 87-2-105

FISH AND WILDLIFE (Continued)

Hunting, general provisions, See also **Game animals; Game birds; Shooting preserves**
  administrative rules, nonapplicability, 2-4-102
  camps, 37-47-304
  certificate of competency or completion requirements, 87-2-105
  concealed weapons, exemption from criminal provisions, 45-8-317
  disabled person's companion — pursuing, taking, or killing by, 87-2-103, 87-2-803
  easement for, 70-17-101, 70-17-102
  exceptions to license requirements, Title 87, chapter 2, part 8, See **Exceptions to requirements**
  federal lands, jurisdiction, 2-1-202, 2-1-209
  harassment of hunters unlawful, 87-3-141 — 87-3-144
  heritage, official week of observance, 1-1-226
  highways, hunting on or from, 61-8-369, 87-1-102, 87-2-803, 87-3-101
  "hunter orange" defined, 87-3-302
  hunter safety course requirements, 45-8-321, 87-2-105
  indians, general provisions, 2-1-304, 87-1-228
  injured person, failure to assist, 45-8-113
  licenses, See also **Types of licenses enumerated**
    agents, sale of — by, Title 87, chapter 2, part 9, See **Agents**
    alteration or transfer, 87-2-110
    application, penalties, and forfeiture, 87-2-106
    carrying and exhibiting, 87-2-109
    disabled persons, 87-2-403, 87-2-803
    drawing fee, 87-2-113, See also **Drawing system for special licenses and seasons**
    form, 87-2-107
    littering, forfeiture, 87-2-112
    minors, 87-2-403, 87-2-404, 87-2-711
    nonresident, 87-2-504, 87-2-505, 87-5-507, 87-2-510
    number allowed and fees, 87-2-104
    requirements and preference, 87-2-103, 87-2-501
    resident, 87-2-102, 87-2-501, 87-2-711, 87-2-508
    restrictions, 87-2-506
    special or combination, Title 87, chapter 2, part 7, See **Special or combination licenses or permits**
    termination, 87-2-111
    wildlife conservation license, prerequisite, 87-2-201
  outfitter services, licenses reserved for, 87-2-511, See also **OUTFITTERS AND GUIDES**
  privileges, forfeiture, 87-1-102, 87-2-112
  public shooting areas, agreements for and payment, 87-1-227
  recreation, definitions as, 23-2-301, 70-16-301
  safety requirements, 87-2-105, 87-3-302
  tagging of carcasses, 87-2-509
  violations, penalties generally, 87-1-102, See also **Violations**
Identification, See **Tattooing of certain animals**
Importation, introduction, and transplantation, Title 87, chapter 5, part 7
  applicability of provisions, 87-5-703
  authority, 87-1-221, 87-5-712
  beavers, 87-1-224
  consultation with other agencies, 87-5-716
  endangered species, 87-5-112, 87-5-703
  extermination or control, 87-5-704, 87-5-715
  feral species, defined, 87-5-702
  fish or eggs, 87-3-210, 87-3-224, 87-3-227, 87-5-703
  fish species, environmental review requirement, 87-5-711
  game animal farm animals, 87-4-407, 87-4-414, 87-4-415, 87-4-422, 87-4-424, 87-4-426

FISH AND WILDLIFE (Continued)
Importation, introduction, and transplantation,... (Continued)

- grizzly bears, 87-5-302, 87-5-703
- hearings, 87-5-711, 87-5-712
- migratory game birds, 87-3-403
- penalties, 87-4-427
- permits and health certificates, Title 81, chapter 2, part 7, See **LIVESTOCK, Importation**
- prohibited when, 87-5-711, 87-5-712
- purpose, 87-5-701
- raptors, 87-5-205, 87-5-703
- rules, 87-5-704, 87-5-712, 87-5-714
- species permitted, 87-5-713, 87-5-714
- unlawful, 87-1-102, 87-2-103, 87-3-105, 87-5-721

Indians
- agreement concerning hunting and fishing, 87-1-228
- eagle parts and plumage, possession or transportation, 87-5-201
- general provisions, 2-1-304
- river restoration program, cooperation, 87-1-257

Indigent persons, hunger as exception to violations, 87-3-129
Inheritance taxes, in-kind payment for preservation of wildlife habitat, 72-16-445
Injunction to restrain violations when, 87-3-144
Interstate fishing privileges, Title 87, chapter 2, part 10, See **Fish and fishing**
Juveniles, See **Minors**
Labeling of packages for shipping, 87-1-102, 87-3-114
Lakes, See **Lands or waters**
Land and Water Conservation Fund Act, implementation, 23-2-101 — 23-2-103
Landlord-tenant relationships, applicability, 70-24-104
Landowners, See also **Lands or waters**
- beavers or muskrats, removal, 87-1-224, 87-3-501
- cooperative agreements, 87-1-210, 87-1-227, 87-1-303
- criminal mischief and trespass, enforcement, 45-6-101, 45-6-201, 45-6-203, 87-1-504, 87-1-505
- crop damage by wild animals, 87-1-225, 87-1-226
- damage to landowner's property, See **Lands or waters**, damage to
- federal preserves, agreements for hunting on contiguous land, 87-1-227
- game damage assistance, eligibility, 87-1-225
- gates, failure to close, 45-6-101
- habitat, acquisition — impact and review, 87-1-241
- harassment of hunters and trappers, applicability of provisions, 87-3-142
- liability of owner, 23-2-321, 70-16-301, 70-16-302
- livestock injuries, 87-3-107, 87-3-127
- penalty, 87-1-102
- permission required and failure to acquire, 23-2-302, 45-6-201, 87-1-102, 87-2-604, 87-2-803, 87-3-107, 87-3-125, 87-3-304
- posting of land, requirements, 45-6-201
- protection of property, 45-6-203, 87-1-504, 87-1-505, 87-3-125
- public hunting requirements, 87-1-225
- public shooting areas, agreement and payment for, 87-1-227
- refuges established on private land, 87-1-305, See also **Preserves and refuges**
- river restoration projects, consent, 87-1-257
- smith river management, Title 23, chapter 2, part 4
- stream access law, Title 23, chapter 2, part 3
- traps or trapping
  - exception to tagging requirement, 87-3-504
  - license and fee, 49-3-204, 87-2-602, See also **Trapping**
  - owner's consent required, 87-2-604, 87-3-107

FISH AND WILDLIFE (Continued)
Landowners (Continued)

- upland game bird enhancement program, 87-1-247, 87-1-248
- vehicles, off road use, 87-3-125

Lands or waters, See also **Landowners**
- acquisition or exchange, 87-1-209, 87-1-241, 87-1-242, 87-1-301, 87-1-303, 87-1-611, 87-1-701 — 87-1-703, 87-1-709, 87-1-711, 87-1-713, 87-1-714
- adjudication of rights, 85-2-223
- aquatic fish food organisms, commercial taking — overharvest or conflicts with fishing and recreational uses, 87-4-609
- artificial lakes or ponds, See **Fish and fishing**
- beavers and dams, destruction, 87-1-224
- boats, 23-2-525, 87-3-126, 87-3-203
- closure of areas, 87-1-304, 87-1-305, 87-3-106, 87-5-402
- conservancy districts to enhance habitat, 85-9-101, 85-9-102, See also **WATER CONSERVANCY DISTRICTS**
- conservation for wildlife, 75-5-101, 85-1-101, 85-9-102, See also **WATER QUALITY**
- construction projects, 87-5-502 — 87-5-505, See also **RIVERS AND STREAMS**
- counties
  - acquisition proposals, review and hearings, 87-1-713, 87-1-714
  - payments in lieu of taxes, 87-1-603, 87-1-604
  - water or sewer district projects, 7-13-2218
- county-owned, improvement, 7-8-2501
- damage to
  - assistance to landowners, eligibility, 87-1-225
  - beaver or dams obstructing stream, destruction, 87-1-224
  - beaver or muskrats, by, 87-3-501
  - captivity, by animals held in, 87-1-233
  - complaints, filing, 87-1-304
  - criminal mischief, 45-6-101
  - criminal trespass, 45-6-201, 45-6-203, 87-1-504, 87-1-505
  - crop damage caused by wild animals, 87-1-225, 87-1-226
  - enforcement of penalties, 23-1-106
  - warden's duties, 87-1-504, 87-1-505
  - wild animals, by, 87-1-225, 87-1-226, 87-1-304
  - wild buffalo or bison, by, 87-1-215
- department-owned, payments in lieu of taxes, 87-1-603, 87-1-604
- development, 85-9-102
- dewatered watercourses, chronically — identification, factors, 85-2-150
- easements, 87-1-209, 87-1-611
- federal acquisitions, 87-1-713, 87-1-714
- federally owned, cooperative agreements, 87-1-703, 87-1-708, 87-1-709
- federal preserves, hunting on contiguous land, 87-1-227
- fire danger, closure of areas, 87-3-106
- fisheries, lease of appropriation rights to maintain streamflow for, 85-2-102, 82-2-402, 85-2-404, 85-2-436 — 85-2-438, 87-1-610
- fish restoration and management projects, 87-1-701 — 87-1-703, See also **Fish and fishing**
- habitat, for — acquisition, 87-1-241, 87-1-242
- improvement, 85-9-102
- indian, agreements, 87-1-228
- interstate privileges, 87-2-1003
- natural streambed and land preservation act, Title 75, chapter 7, part 1, See **RIVERS AND STREAMS**, **Streambed protection**
- navigable lakes and streams, fishing rights, 87-2-305
- pittman-robertson act, acquisition under, 87-1-709
- posting, 45-6-201, 87-5-402

FISH AND WILDLIFE (Continued)
Lands or waters (Continued)

- protection of private property, 23-1-106, 87-1-504, 87-1-505
- public fishing areas
    - acquisition, 87-1-209
    - closure, 87-1-304, 87-1-305
    - interstate privileges, 87-2-1001 — 87-2-1004
    - methods of fishing, specific — designation of waters for, 87-3-204
    - navigable waters, fishing rights, 87-2-305
    - rules, 87-1-303
- recreational uses, See also **RECREATION; RIVERS AND STREAMS, Recreational use; Smith River management**
    - aquatic fish food organisms, commercial taking — conflicts with, 87-4-609
    - enforcement, 45-6-203, 87-1-504, 87-1-505
    - funds for facilities, 87-1-601, 87-1-605
    - use rules, 23-2-302, 23-2-408, 23-2-410, 87-1-301, 87-1-303
- river restoration program, 87-1-255 — 87-1-259, See **RIVERS AND STREAMS, Restoration**
- sale procedures, 87-1-201, 87-1-209
- salmonid fish, parts, or eggs — uncertified, entry prohibited, 87-3-222
- smith river management, Title 23, chapter 2, part 4, See **RIVERS AND STREAMS, Smith River management**
- stream access law, Title 23, chapter 2, part 3, See **RIVERS AND STREAMS, Recreational use**
- stream protection, Title 87, chapter 5, part 5, See **RIVERS AND STREAMS, Smith River management; Streambed protection**
- streams, ordinary high-water mark — use of vehicle below prohibited when, 61-8-371
- swimming at public reservoirs and lakes, rules, 87-1-303
- title held by state
    - fish restoration and management projects, 87-1-701, 87-1-702
    - wildlife restoration projects, 87-1-708
- trespass, enforcement, 45-6-201, 45-6-203, 87-1-504, 87-1-505
- use rules, adoption and enforcement, 23-1-106, 23-2-302, 23-2-408, 23-2-410, 87-1-301, 87-1-303
- "works", defined as, 85-1-101, See **WATER, Projects**
- zoos and menageries, 7-16-2321

"Lawfully taken wildlife" defined, 87-3-117
Laws — compilation, publication, and distribution, 87-1-405
Leases

- federal, 87-1-705, 87-1-707, 87-1-711
- fisheries, appropriation rights to maintain streamflow for, 85-2-102, 85-2-402, 85-2-404, 85-2-436 — 85-2-438, 87-1-610
- fur farms, license requirements, 87-4-1003
- game bird farms, license requirements, 87-4-904
- game farms, license requirements, 87-4-409
- landowner's trapping license, 87-2-602
- lands or waters, for, 2-1-211, 87-1-209, 87-1-703, 87-1-709
- money from, disposition, 87-1-601
- river restoration projects, consent of lessee, 87-1-257
- rules for, 87-1-303
- snares and traps, removal by lessees of land, 87-3-507
- state land leases, effect of right to control state waters for fish propagation, 87-1-223
- upland game bird enhancement projects, funding ineligibility where hunting rights are leased, 87-1-248

Lights, artificial — use, 87-1-102, 87-3-101
Limits, 87-1-102, 87-3-103

FISH AND WILDLIFE (Continued)

Littering, 75-10-212, 75-10-233, 87-1-102, 87-2-112, See also **LITTERING AND LITTER CONTROL**
Livestock
  bounty claims on wild animals, approval — livestock, board of, 87-1-206
  damage to stock or property, control, 87-3-126, 87-3-127, 87-3-130, 87-3-209, 87-3-501
  habitat, acquisition — use for grazing, 87-1-241
  harassment of hunters and trappers, applicability of provisions, 87-3-142
  snares endangering, 87-3-107, 87-3-507
  taking of wildlife to protect, 87-3-130
  tattoo requirements, applicability, 87-1-234
  use for archery season, adoption of rules, 87-1-304
  wild buffalo, management policy, 87-1-215
Livestock, Department of
  game animal farms
    bills of sale or invoices, copies, 87-4-415
    importation restrictions, 87-4-424
    licensees, compliance with laws and rules, 87-4-408
    marks for animals, approval, 87-4-414
    quarantine, when, 87-4-415
  importation for introduction, consultations and restrictions, 87-4-424, 87-5-716
  rabies control
    rules, approval, 50-23-101, 50-23-105
    seizure, impounding, testing, or destruction of animals, 50-23-103
  wild buffalo management, cooperation, 87-1-215
Lynx, Canada, 87-1-111, 87-2-101, 87-2-601, 87-2-602, 87-3-501, 87-4-1001, 87-5-401, See **Fur-bearing animals; Fur farms**
Megalandfill siting
  damage or impairment by facilities — reclamation, restoration, or replacement, 75-10-950 — 75-10-954
  evaluation of application, considerations, 75-10-920
  habitat, loss — mitigation by applicant, 75-10-929
Menageries, See **Zoos and menageries**
Migratory game birds, See **Game birds**
Mining operations, protection of wildlife, 82-4-202, 82-4-227, 82-4-231, 82-4-402, See **MINES AND MINING, Reclamation and restoration**
Mink, 87-2-101, 87-3-501, 87-4-1001, See **Fur-bearing animals; Fur farms**
Minors
  fishing, exclusive use of certain waters, 87-1-304
  hunting and fishing, license requirements, 87-2-805, See also **Fish and fishing; Hunting, general provisions**
  safety course requirements, 87-2-105
  upland game bird enhancement projects, qualification — preference, 87-1-248
  wild turkey tag, 87-2-403
  youth trapping license, 87-2-605
Mitigation or enhancement, 87-1-611, See also **Funds and funding**
Moose, See **Bow and arrow; Game animal farms; Game animals**
Motor vehicles, See **Vehicles**
Mountain goats, lions, or sheep, See **Bow and arrow; Game animal farms; Game animals; Tattooing of certain animals**
Muskrats, 87-3-501, 87-3-503, See **Fur-bearing animals; Fur farms**
Natural areas preservation, Title 76, chapter 12, part 1
Navigable lakes and streams, See **Lands or waters**
Negligent hunting, 45-8-113
Nongame and endangered species, Title 87, chapter 5, part 1
  acquisition, importation and propagation, 87-1-221

FISH AND WILDLIFE (Continued)
Nongame and endangered species (Continued)

- biological data, 87-5-102, 87-5-104, 87-5-121
- birds, eggs, or nests — protection, 87-1-102, 87-5-201, 87-5-404, 87-5-406
- carriers' shipments, 87-5-106, 87-5-107
- citation of nongame and endangered species conservation act, 87-5-101
- confiscation, See **Confiscation or seizure**
- construction of provisions, 87-5-112
- definitions, 87-5-102
- eagles
  - destruction when, 87-5-209
  - parts and plumage, indian tribes — possession or transportation, 87-5-201
- endangered species list — determination, review, and violations, 87-5-107
- enforcement, 87-1-201, 87-5-111
- federal laws, applicability, 87-5-107, 87-5-112
- hunting, nongame certificate, See **Special or combination licenses or permits**
- importation or introduction provisions, nonapplicability, 87-5-112, 87-5-703
- investigations, 87-5-104, 87-5-105
- lands or waters, 87-1-209
- legislative policy, 87-5-103
- management programs, 87-5-105, 87-5-108, 87-5-121, 87-5-122
- nongame wildlife account — creation, funding, and use, 15-30-150, 87-5-121, 87-5-122
- parks and public places, 7-16-2322, 7-16-4222
- penalties for violations, 87-1-102, 87-5-111
- permits for taking, 87-5-109
- policies, 87-1-301
- predatory hawks or owls, destruction when, 87-5-209, See also **Raptors**
- removal, capture, or destruction, 87-5-109
- reproduced bird or animal sounds, restrictions, 87-3-108
- restitution for illegal killing or possession, 87-1-102, 87-1-111 — 87-1-114
- rules, 87-5-110
- state lands, recreational use — closure when, 77-1-804
- taking for scientific, zoological, or educational purposes, 87-5-109
- trapping of nongame wildlife, 87-2-603, 87-2-604
- unlawfully taken wildlife, 87-1-111, 87-2-103, 87-3-111, 87-3-117, 87-5-106, 87-5-107, 87-5-111
  - penalties prescribed, 87-1-102
  - removal from state, 87-1-102, 87-3-113
  - restitution, 87-1-111 — 87-1-114
  - sale or possession, 87-3-112, 87-3-118
- wild birds, 87-1-102, 87-1-111, 87-5-201, 87-5-404, 87-5-406

Nonresidents

- aerial hunting, Title 81, chapter 7, part 5, See **PREDATORS AND PREDATOR CONTROL**
- big game combination hunting license, 87-1-242, 87-1-246, 87-2-501, 87-2-505
- deer combination hunting license, 87-2-505, 87-2-510, 87-2-511
- fishing licenses, 87-1-258, 87-1-259, 87-1-605, 87-2-302, 87-2-304, 87-2-805
- game animal farm licensees, agent for, 87-4-409
- game bird farm licensees, agent for, 87-4-904
- landowner's permission, failure to acquire, 87-1-102, 87-3-304
- raptors, 87-5-204, 87-5-208
- resident, considered as — when, 87-2-102, 87-2-106
- state policy, 87-3-303

Noxious weed management, 7-22-2101, 7-22-2109, See **WEEDS AND WEED CONTROL**
Noxious Weed Management Advisory Council, representation on, 80-7-805

FISH AND WILDLIFE (Continued)

Off road vehicle use, See **Vehicles**
Outdoor recreational resources development, 23-2-101 — 23-2-103, See also **RECREATION**
Outfitters and guides, Title 37, chapter 47
Owls, 87-5-202, 87-5-209, See **Raptors**
Ownership, 70-2-111, 87-2-807, 87-4-414
Paddlefish, See **Fish and fishing**
Parks and park rangers, See **PARKS**, **State parks**
Penalties, 87-1-102, See **Fines, bonds, and penalties**; **Violations**
Pesticide regulation, Title 80, chapter 8, See **PESTS AND PESTICIDES**
Pheasant release program, 87-1-247, 87-1-248
Pittman-Robertson Act, assent to, 87-1-708 — 87-1-710
Poaching, 87-1-102, 87-2-103
Poison, use, 87-1-102, 87-3-204, 87-3-206
Possession, See specific subject area; **Violations**
Posting, requirements, 45-6-201
  preserves, refuges, sanctuaries, rest grounds, closed districts, and closed seasons, 87-1-202, 87-5-402
  waterfowl, areas for hunting and shooting, 87-1-227
Predators, defined, 87-2-101; Title 81, chapter 7, See **PREDATORS AND PREDATOR CONTROL**
Preserves and refuges, Title 87, chapter 5, part 4
  abandonment or alteration, 87-5-402
  benton lake wildlife refuge, water supply, 87-1-707
  boundaries, 87-1-227, 87-5-402
  cities and towns, authority for acceptance, 7-8-103, 7-8-104
  closure, 87-5-402
  creation
    preserves, 87-1-301, 87-5-401, 87-5-402
    refuges, 87-1-301, 87-1-305, 87-1-706, 87-5-402
  dogs, restrictions on use, 87-5-401, 87-4-915
  federal
    acquisition proposals, review and hearings, 87-1-713, 87-1-714
    hunting on contiguous land, 87-1-227
    jurisdiction of state, 2-1-211
  federal government, acquisition of land, 87-1-705 — 87-1-707, 87-1-711, 87-1-712
  flathead county migratory bird reserve, 87-1-705, 87-1-706
  flathead lake bird preserve, 87-5-404
  gates of the mountains game preserve, 87-5-406
  hunting restrictions, 87-5-401, 87-5-406
    federal preserves, rights on contiguous lands, 87-1-227
    seasons, 87-5-402
    upland game bird enhancement projects, funding ineligibility, 87-1-248
  migratory birds, for, 87-1-305, 87-1-706, 87-5-402
  national bison range, establishment and development, 87-1-711, 87-1-712
  natural areas as part of, 76-12-117, See also **LAND USE PLANNING**
  permits, 87-5-401
  pittman-robertson act, 87-1-708 — 87-1-710
  posting of notice and additional provisions, 87-1-227, 87-5-402
  prohibited acts, 87-5-401, 87-5-402, 87-5-404, 87-5-406
  public shooting areas, 87-1-227
  shooting preserves, See **Shooting preserves**
  sun river game preserve, 87-5-402, 87-5-403
  teton-spring creek bird preserve, 87-5-405
  trapping allowed, 87-5-401

FISH AND WILDLIFE (Continued)

- **Preserves and refuges** (Continued)
  - university of Montana biological reserve, 23-1-201, 23-1-202, 87-5-404, See **UNIVERSITY OF MONTANA, Biological station**
  - violations and penalties, 87-1-102, 87-5-401, 87-5-402, 87-5-404, 87-5-406
  - waterfowl sanctuaries, 87-1-305, 87-1-706, 87-1-713, 87-1-714, 87-2-412
  - wetlands protection, conservation, and development, 87-2-412
- **Privileges**, forfeiture, 87-1-102, 87-1-108, 87-2-112
- **Prizes**
  - fishing derbies, 23-5-165
  - prohibited when, 87-3-121, 87-3-307
- **Property**, See **Landowners; Lands or waters**
- **Prosecution of violations**, See **Violations**
- **Protection of persons or livestock**, taking of wildlife for, 87-3-130, 87-3-221
- **Public access or fishing areas**, See **Access sites; Lands or waters**, public fishing areas
- **Public shooting areas**, agreements for and payment, 87-1-227
- **Purchase unlawful**, 87-1-102, 87-2-103, 87-3-111, 87-3-118
- **Rabies control**, Title 50, chapter 23, part 1
  - definitions, 50-23-101
  - destruction, seizure, or quarantine of animals, 50-23-103
  - expenses, 50-23-104
  - injunction, 50-23-106
  - possession of animals capable of transmitting prohibited, 50-23-102, 50-23-103
  - rulemaking authority, 50-23-101, 50-23-105
- **Rangeland and range management**, Title 76, chapters 14 and 16, See **GRAZING DISTRICTS; RANGELAND RESOURCES**
- **Raptors**, Title 87, chapter 5, part 2
  - captive breeding projects and permits, 87-5-210
  - defined, 87-5-202
  - destruction of eagles, hawks, or owls — when, 87-5-209
  - federal laws, conformance to, 87-5-204, 87-5-210
  - licensing and rules, 49-3-204, 87-5-204, 87-5-208
  - nonresidents, 87-5-208
  - penalties for violations, 87-1-102
  - possession, unlawful, 87-1-102, 87-1-111, 87-5-204
  - regulation, 87-5-203
  - restrictions on use, 87-5-204, 87-5-207
  - sale or shipping restrictions, 87-5-203, 87-5-210
  - species allowed, 87-5-205, 87-5-703
- **Recreation**
  - fishing and hunting defined as, 70-16-301
  - lands or waters used for, See **Lands or waters**
  - resources, See **PARKS, State parks; RECREATION, Outdoor recreation resources**
  - state lands, on — license, 77-1-801, 77-1-802, 87-1-102, 87-1-502, 87-1-601
  - use, defined as, 23-2-301, 77-1-101, See **RIVERS AND STREAMS, Recreational use; STATE LANDS, Recreational use**
- **Refuges**, See **Preserves and refuges**
- **Refuse**, dumping or leaving, 75-10-212, 75-10-233
- **Renewable resource development**, Title 85, chapter 1, part 6
- **Reproduced sounds of bird or animal calls**, use, 87-1-102, 87-3-108
- **Research**, See **Scientific purposes**
- **Resting, feeding, and breeding grounds**, See **Preserves and refuges**
- **Restitution for illegal killing or possession**, 87-1-102, 87-1-111
  - finding required, 87-1-112
  - forfeiture of bond or bail, portion paid as, 87-1-111, 87-1-112, 87-1-114
  - indians, agreements, 87-1-228
  - payment and penalty for nonpayment, 87-1-113

FISH AND WILDLIFE (Continued)
Restitution for illegal killing or possession (Continued)

- proceeds, disposition, 87-1-114
- unlawfully taken wildlife, value — determination, 87-3-118

Revenue, See **Funds and funding**
Rifles, use restrictions, 87-3-401, See also **Guns**
River restoration program, 87-1-255 — 87-1-259, 87-1-601, See **RIVERS AND STREAMS, Restoration**
Rivers, See **Lands or waters**
Roads
- habitat, acquisition — maintenance, 87-1-241
- hunting from or on, 61-8-369, 87-1-102, 87-2-803, 87-3-101

Roadside menageries, See **Zoos and menageries**
Sable, 87-2-101, 87-3-501, 87-4-1001, See **Fur-bearing animals; Fur farms**
Safety, 87-1-304, 87-2-105, 87-3-302
Sales
- antlers, 87-3-102, 87-3-111
- aquatic fish food organisms, 87-4-609
- commercial, 87-4-414 — 87-4-417, 87-4-422, 87-4-701 — 87-4-705
- confiscated birds and animals, See **Confiscation or seizure**
- crawdads and crayfish, 87-4-609
- fish or spawn, 87-1-102, 87-4-601, 87-4-603, 87-4-606
- fur dealers, by, 87-4-303
- fur farms, 87-4-1001, 87-4-1008, 87-4-1010, 87-4-1011
- game animal farms, 87-4-414 — 87-4-417, 87-4-422, 87-4-424
- game bird farms, 87-4-901, 87-4-909, 87-4-911, 87-4-912
- grizzly bears or parts, when, 87-1-511
  - commercial, prohibited, 87-4-702
  - prohibition and exception, 87-3-111
  - registration, 87-3-110
- lands or waters, 87-1-209
- licenses, See **Fish and fishing; Hunting, general provisions; Shooting preserves; Trapping**; See also **Types of licenses enumerated**
- meat of wild animals damaging property, 87-1-226
- mysis shrimp, 87-4-609
- paddlefish roe as caviar, 87-3-111, 87-4-601
- raptors — possession, sale, or training, 87-1-111, 87-5-203, 87-5-204
- unlawfully taken wildlife, 87-3-111, 87-3-117, 87-3-118
- violations, 87-1-102, 87-2-103, 87-3-111, 87-3-118, 87-3-501, 87-4-601, 87-4-705, 87-5-201
- whitefish, 87-4-605
- wild birds, 87-5-201
- zoos and menageries, 87-4-804

Salmonid fish or eggs, See **Fish and fishing**
Salt licks to entice animals, 87-1-102, 87-3-101
Sanctuaries, See **Preserves and refuges**
Scientific purposes
- acquisition, importation, and propagation for, 87-1-221
- collector's permits, 87-2-806, 87-5-401
- data requirements, 87-5-102, 87-5-104
- farm animal and research facilities protection, Title 81, chapter 30, part 1
- grizzly bear parts, for, 87-1-511, 87-3-102
- importation, See **Importation, introduction, and transplantation**
- nongame wildlife, management, 87-5-103
- permits for taking
  - endangered species, 87-5-109
  - fish and game generally, 87-2-806, 87-5-401
- research, training, and other projects, 87-1-210

FISH AND WILDLIFE (Continued)
Scientific purposes (Continued)

- smith river management, 23-2-408, See also **RIVERS AND STREAMS, Smith River management**
- tattoo requirements, applicability, 87-1-234
- university of Montana biological reserve, 23-1-201, 23-1-202, 87-5-404, See **UNIVERSITY OF MONTANA, Biological station**

Search and seizure, See **Confiscation or seizure**
Seasons, 87-1-304, 87-2-101, 87-3-104, See also specific subject
Seines or nets, 87-3-204, 87-3-205, 87-4-610, See **Fish and fishing**
Seizure, See **Confiscation or seizure**
Set guns, 87-1-102, 87-3-101
Sex of animal, destroying evidence of, 87-1-102, 87-3-306
Shipping, See specific subject
Shooting preserves, Title 87, chapter 4, part 5

- amount of game recoverable, 87-4-523, 87-4-526
- bird license or stamp required, 87-4-504
- boundaries, posting, 87-4-502
- floodways, within, Title 76, chapter 5, See **FLOODPLAINS AND FLOODWAYS, Uses within**
- game hunted within, 87-4-522, 87-5-406
- inspections, 87-4-526, 87-4-528
- licenses or permits
  - authorization, 87-4-501
  - commercial and membership, 87-4-505
  - discrimination in issuance prohibited, 49-3-204
  - fees, 87-4-503
  - requirements, 87-4-502
  - revocation and reissuance, 87-4-506
- nonresidents, requirements, 87-4-504
- operators, restrictions established by, 87-4-524
- records, 87-4-526
- seasons, 87-1-304, 87-2-101, 87-3-104, 87-4-521
- shooters
  - bird license or stamp required, 87-2-404, 87-4-504
  - registration, 87-4-526
- size, location, and posting, 87-4-502
- tagging, 87-4-525
- wild game, harvesting, 87-4-527

Shooting ranges, Title 76, chapter 9, part 1, See **SHOOTING RANGES**
Shotguns, use restrictions, 23-2-302, 87-1-304, 87-3-301, 87-3-401, See also **Guns**
Skins or pelts, See **Fur-bearing animals; Fur farms**
Skunks, 87-2-101; Title 81, chapter 7, See **PREDATORS AND PREDATOR CONTROL**
Smith River management, Title 23, chapter 2, part 4, See **RIVERS AND STREAMS**
Snare traps

- lawful, 87-3-107
- removal allowed, 87-3-507
- unlawful, 87-1-102, 87-3-101

Snowmobiles, Title 23, chapter 2, part 6, See **SNOWMOBILES**
Soil conservation districts, Title 76, chapter 15, See **CONSERVATION DISTRICTS**
Special or combination licenses or permits, Title 87, chapter 2, part 7, See **Hunting, general provisions**; See also **Types of licenses enumerated**

- additional — application for, purchase, or possession unlawful when, 87-2-104
- application prohibited when, 87-1-102
- elk permits, 87-2-501, 87-2-704, 87-2-705
- grizzly bear, 87-2-701, 87-2-702
- holders, areas set aside for, 87-1-304

FISH AND WILDLIFE (Continued)
Special or combination licenses or permits,... (Continued)

issuance limited, 87-1-304, 87-2-702
minors, age requirements, 87-2-701
seasons, 87-1-225, 87-1-304, 87-2-101
unlawful application or drawing entry, 87-2-702
Sportsman-landowner relationships, See **Landowners**
Sportsman's license and decal, 49-3-204, 87-1-242, 87-1-246, 87-1-258, 87-1-259, 87-2-711
Spotlighting, 87-1-102
State conservation officers, Title 87, chapter 1, part 5, See **Enforcement**
State-federal relationships, See **Federal-state relationships**
State lands, recreational use, Title 77, chapter 1, part 8, See **STATE LANDS**
State special revenue fund, See **Funds and funding**
Stream access law, Title 23, chapter 2, part 3, See **RIVERS AND STREAMS, Recreational use**
Streambed and Land Preservation Act, Natural, Title 75, chapter 7, part 1, See **RIVERS AND STREAMS, Streambed protection**
Stream protection, See **RIVERS AND STREAMS**, **Smith River management; Streambed protection**
Streams and rivers, See **Lands or waters**
Streamside management zones, forest practices in, 77-5-301 — 77-5-307
Sun River game preserve, 87-5-403, See also **Preserves and refuges**
Tags and tagging
bears, 87-1-201, 87-5-302
carcasses, 50-50-401, 87-1-102, 87-2-509, 87-5-302
frozen food lockers, requirements, 50-50-401
game birds used in field trials, 87-4-915
penalties, 87-1-102, 87-3-505
shooting preserves, 87-4-525, 87-4-526
snare traps, 87-3-107
turkeys, 87-3-404, 87-3-405
traps, metal tags, 87-3-107, 87-3-504
Taking of wildlife to protect persons or livestock, 87-3-130
Tattooing of certain animals
captured animals, damage caused by — compensation, 87-1-233
exceptions, 87-1-234
records and fees, 87-1-232
requirement and penalty, 87-1-231
Taxidermy and taxidermists, 87-1-102, 87-4-201
Teton-Spring Creek bird preserve, 87-5-405, See also **Preserves and refuges**
Transplantation, See **Importation, introduction, and transplantation**
Transporting, See specific subject
Trapping, Title 87, chapter 2, part 6
animals to trap, enumerated, 87-2-601, 87-2-602
beavers or muskrats, 87-1-224, 87-3-501, 87-3-503
closed season, during, 87-1-102, 87-2-103
closure of areas for, 87-1-304
concealed weapons, exemption from criminal provisions, 45-8-317
game animal farms, removal of animals prior to fencing, 87-4-410
game preserves, on, 87-5-401
harassment of trappers unlawful, 87-3-141 — 87-3-144
indians, general provisions, 2-1-304
lands or waters
acquired for, 87-1-209, 87-1-303
closed to, 87-1-305
landowner's permission required, 87-2-604

FISH AND WILDLIFE (Continued)
Trapping (Continued)

- licenses, See also **Types of licenses enumerated**
    - alteration or transfer, 87-2-110
    - application, penalties, and forfeiture, 87-2-106
    - carrying and exhibiting, 87-2-109
    - classes and fees enumerated, 87-2-601 — 87-2-603
    - expiration or termination, 87-2-111, 87-2-202
    - failure to have, 87-1-102, 87-2-103
    - forfeiture, 87-2-112
    - form, 87-2-107
    - landowners, 87-2-602
    - nonresident, 87-2-603, 87-2-604
    - number allowed and fees, 87-2-104
    - resident, 87-2-102, 87-2-601, 87-2-605
    - required, 87-2-103
    - sale, unlawful, 87-2-203
    - wildlife conservation license, prerequisite, 87-2-201
    - youth license, 87-2-605
- nongame wildlife, 87-2-603, 87-2-604
- pelts, See **Fur-bearing animals; Fur farms**
- predator control by, Title 81, chapter 7, See **PREDATORS AND PREDATOR CONTROL**
- privilege, forfeiture, 87-1-102, 87-1-108, 87-2-112
- public areas, lands or waters for, 87-1-209
- raptors, See **Raptors**
- rules, establishment, 87-1-301
- seasons for, 87-1-304, 87-2-101, 87-3-104, See also **Fur-bearing animals; Game animals**
- traps
    - failure to pick up or attend, 87-3-506
    - removal, destruction, or disturbance, 87-3-507
    - tagging requirements, 87-3-107, 87-3-504, 87-3-505
    - violations, 87-1-102, 87-3-101, 87-3-204, 87-3-205
- unlawfully taken wildlife, 87-2-103, 87-3-111, 87-3-117
    - penalties prescribed, 87-1-102
    - removal from state, 87-2-113
    - restitution, 87-1-111, 87-1-114
    - sale or possession, 87-3-112, 87-3-118
- wasting animals, 87-3-506

Trespass, criminal, 45-6-201, 45-6-203, 87-1-504, 87-1-505
Trophies
- boone and crockett institute, 87-3-307
- grizzly bear trophy license, 87-2-701
- killing for trophy only, 87-1-102, 87-3-102
- mountain lion trophy license, 87-2-507, 87-2-508
- sale, purchase, and transporting, 87-3-111

Turkeys, See **Game birds**
Types of licenses enumerated
- classes
    - A, resident fishing license, 87-2-301
    - A-1, resident upland game bird license, 87-2-401
    - A-2, special bow and arrow license, 87-2-708
    - A-3, resident deer A tag, 87-2-501
    - A-4, resident deer B tag, 87-2-501
    - A-5, resident elk tag, 87-2-501
    - A-6, resident black or brown bear tag, 87-2-501
    - A-7, antlerless elk tag, 87-2-501
    - AAA, resident sportsman's license, 87-2-711

FISH AND WILDLIFE (Continued)
Types of licenses enumerated (Continued)
  classes (Continued)
    B, nonresident fishing license, 87-2-302
    B-1, nonresident upland game bird license, 87-2-402
    B-4, two-day nonresident fishing license, 87-2-304
    B-7, nonresident deer A tag, 87-2-504
    B-8, nonresident deer B tag, 87-2-504
    B-10, nonresident big game combination license, 87-2-505
    B-11, nonresident deer combination license, 87-2-510
    C, resident trapper's license, 87-2-601
    C-1, landowner's trapping license, 87-2-602
    C-2, nonresident trapper's license, 87-2-603
    C-3, resident youth trapping license, 87-2-605
    D-1, nonresident mountain lion license, 87-2-507
    D-2, resident mountain lion license, 87-2-508
  other licenses, permits, stamps, and tags
    paddlefish tags, 87-2-306
    scientific purposes, permit, 87-2-806
    special antelope, 87-2-701
    special black or brown bear, 87-2-701
    special elk permits, 87-2-704, 87-2-705
    special grizzly bear, 87-2-701
    special moose, 87-2-701
    special mountain goat, 87-2-701
    special mountain sheep, 87-2-701
    three-day nonresident captive-reared bird hunting stamp, 87-2-404
    trophy licenses
      grizzly bear, 87-2-701
      mountain lion, 87-2-507, 87-2-508
    waterfowl stamp, 87-2-411
    wildlife conservation, 87-2-202, See **Wildlife conservation license**
    wild turkey tags, 87-2-403
University of Montana Biological Reserve, 23-1-201, 23-1-202, 87-5-404, See **UNIVERSITY OF MONTANA, Biological station**
Unlawful practices, See **Violations**
"Unlawfully taken wildlife" defined, 87-3-117
Upland game bird enhancement program, See **Game birds**
Upper Clark Fork River Basin Steering Committee, representation on, 85-2-338
Vehicles
  archers, use regulations, 87-1-304
  federal land, off road use restrictions, 87-3-125
  hunting from, 61-8-369, 87-1-102, 87-2-803, 87-3-101
  off road use, 87-3-125
  orange-colored international symbol of handicapped required when, 87-2-803
  salmonid and nonsalmonid fish or egg provisions, violation, 87-3-224, 87-3-227
  searches, 87-1-506
  streams, ordinary high-water mark — use below prohibited when, 61-8-371
Vertebrate Pest Management Advisory Council, representation on, 80-7-1104
Violations, penalties prescribed, 87-1-102
  aircraft, use, 87-3-126
  animal calls or sounds, use, 87-3-108
  archery restrictions, 87-3-135, See also **Bow and arrow**
  boats, use, 87-3-126
  captivity, animals held in — failure to report, 87-1-231
  carcasses, 87-2-509, 87-3-102
  checking stations, failure to stop and report at, 87-1-208
  civil liability, 87-3-227, 87-5-721

FISH AND WILDLIFE (Continued)
Violations, penalties prescribed (Continued)

- closed season, fishing or hunting during, 87-3-104
- compromise prohibited, 87-1-502
- construction or hydraulic violations, stream damage by, 87-5-509
- costs, 87-1-104
- court citation or sentence, failure to comply, 87-1-108
- crayfish, unlawful taking — penalty, 87-4-608
- crimestoppers program, 87-5-601 — 87-5-606
- damages, 87-3-227
- decoys, simulated wildlife — attempting to take unlawful, 87-3-109
- deer, taking in city limits, 87-3-305
- endangered species, 87-1-111, 87-5-106, 87-5-107, 87-5-111
- exception to requirements, revocation, 87-2-804, See **Exceptions to requirements**
- fines, See **Fines, bonds, and penalties**
- firearms, silencers or mufflers prohibited, 87-3-123, See also **Guns**
- fire-danger areas, hunting or fishing in prohibited, 87-3-106
- fish and fishing, see **Fish and fishing**
- food locker owner, liability, 50-50-402
- forfeiture of bond or bail, 87-1-102, 87-1-111, 87-1-112, 87-1-114, 87-2-106, 87-5-721
- forfeiture of hunting, fishing, or trapping privileges, 87-1-108
- fur-bearing animals, See **Fur-bearing animals**; **Fur farms**
- game animals, See **Game animal farms**; **Game animals**
- game birds, See **Game bird farms**; **Game birds**; **Raptors**; **Shooting preserves**
- game preserves, hunting in, 87-5-404, 87-5-406
- harassment, 23-2-633, 87-3-125
- highways, hunting on or from, 87-3-101
- importation, introduction, and transplantation — unlawful when, 87-2-103, 87-3-105, 87-5-721, See also **Importation, introduction, and transplantation**
- inchoate offenses, as, 87-1-109
- indian reservation boundaries, within — disposition of fines and restitution, 87-1-228
- injunction to restrain, 87-3-144
- injured person, failure to assist, 45-8-113
- jurisdiction
  - justice's court, in, 3-10-303
  - state or tribal courts, agreement concerning, 87-1-228
- landowner permission, failure to acquire, 87-3-107, 87-3-125, 87-3-304
- land, trespass on, 45-6-203
- licenses, general regulations, 87-1-103, 87-2-104, 87-2-106, 87-2-109, 87-2-702, See also **Fish and fishing**; **Game animals**; **Game birds**; **Hunting, general provisions**; **Shooting preserves**
- littering, 87-2-112
- negligence, 45-8-113
- nongame wildlife, 87-1-111, 87-5-106, 87-5-107, 87-5-111, See **Nongame and endangered species**
- prizes, conditions for award, 87-3-121
- property
  - criminal mischief, 45-6-101
  - criminal trespass, 45-6-201, 45-6-203
- prosecution for
  - confiscated birds and animals, sale money paid to defendants, 87-1-513
  - cost bills, 87-1-104, 87-1-601
  - hunger as defense, 87-3-129
  - time limit, 45-1-205
- raptors, See **Raptors**
- reproduced sounds of bird or animal calls, use, 87-3-108
- restitution for illegal killing or possession, 87-1-111 — 87-1-114

FISH AND WILDLIFE (Continued)
Violations, penalties prescribed (Continued)

- sales generally, 87-2-103, 87-3-111, 87-3-118, 87-3-501, 87-4-601, 87-4-705, 87-5-201
- salt licks, use, 87-3-101
- seasons, 87-1-304, 87-2-101, 87-3-104, See specific subject
- settlement out of court prohibited, 87-1-502
- sex of animal, destroying evidence of, 87-3-304
- shipping, 87-2-103, 87-3-111, 87-3-117, 87-3-118
  - carrier violations, 87-3-115
  - packages, labeling, 87-3-114
- simulated wildlife decoy, attempting to take unlawful, 87-3-109
- snare traps, use, 87-3-101, 87-3-107
- statute of limitation on prosecution, 45-1-205
- tags, failure to validate, 87-2-403, 87-2-509, 87-3-403, 87-3-405
- taxidermists generally, 87-4-201
- time limit on prosecution, 45-1-205
- trapping, See **Trapping**
- trespass, criminal, 45-6-201, 45-6-203
- unlawfully taken wildlife, 87-2-103, 87-3-111, 87-3-117
  - penalties prescribed, 87-1-102
  - removal from state, 87-3-113
  - restitution, 87-1-111 — 87-1-114
  - sale or possession, 87-3-112, 87-3-118
- vehicle, use restrictions, 87-3-101, 87-3-125
- waste of fish or game, 87-3-102, 87-3-303, 87-3-506
- zoos and menageries, See **Zoos and menageries**

Wardens, See **Enforcement**
Waste, 87-1-102, 87-3-102, 87-3-506
Waterfowl, See **Game birds**
Waters, See **Lands or waters**
Weasels, 87-2-101; Title 81, chapter 7, See **PREDATORS AND PREDATOR CONTROL**
Weed management, 7-22-2101, 7-22-2109, See **WEEDS AND WEED CONTROL**
Wetlands — funds for protection, conservation, and development, 2-15-3405, 87-1-601, 87-2-412
Wetlands Protection Advisory Council, 2-15-3405
Whitefish, See **Fish and fishing**
Wild birds, 87-1-102, 87-1-111, 87-5-201, 87-5-404, 87-5-406, See **Nongame and endangered species**
Wild buffalo, management policy, 87-1-215, See also **Bison**
Wildlife conservation license, Title 87, chapter 2, part 2

- affixation of tags or stamps, 87-2-202
- application
  - contents, 87-2-202
  - false statements, 87-1-102, 87-2-205
- blind or disabled persons, exemption, 87-2-403, 87-2-803
- discrimination in issuance prohibited, 49-3-204
- expiration, 87-2-202
- family members, purchase for — when, 87-2-106
- fee and disposition, 87-2-202, 87-2-204
- guides, professional — requirement for, 37-47-303
- nonresident big game combination license, inclusion in, 87-2-505
- nonresident deer combination license, inclusion in, 87-2-510
- prerequisite for other licenses, 87-2-201, 87-2-203, 87-2-304, 87-2-403, 87-2-504, 87-2-701
- resident minors, 87-2-403, 87-2-805
- residents over age 62, 87-2-403, 87-2-801, 87-2-804

FISH AND WILDLIFE (Continued)

Wild turkeys, See **Game birds**
Wolverines, 87-1-111, 87-2-101, 87-2-601, 87-2-602, 87-4-1001, See **Fur-bearing animals; Fur farms**
Wolves, 87-1-231, 87-1-233, See **Nongame and endangered species; Tattooing of certain animals; PREDATORS AND PREDATOR CONTROL**
Zoos and menageries, Title 87, chapter 4, part 8
  definitions, 87-4-801
  enforcement of provisions, 87-4-807
  fines, bonds, and penalties — collection and disposition, 87-4-808
  inspections, 87-4-806
  lands or facilities for, 7-16-2321
  motor vehicles, gross vehicle weight fee exemption, 61-10-214
  park commissioners, county board of — powers, 7-16-2321, 7-16-2327
  permits
    fees, 87-4-803, 87-4-808
    issuance, 87-4-803
    restrictions, 87-4-805
    revocation, 87-4-806
    wildlife acquisition, for, 87-4-804
  procurement of wildlife, 87-4-806
  progeny, state property, 87-4-805
  regulations for, 87-4-802
  sales, 87-4-804
  tax exemption, 15-6-201
  violations, 87-1-102, 87-4-807
  wildlife
    acquisition or redemption, 87-4-804, 87-4-806
    rabies control restrictions, 50-23-102

FISH AND WILDLIFE CRIMESTOPPERS ACT AND BOARD, Title 87, chapter 5, part 6
  See **FISH AND WILDLIFE, Crimestoppers**

FISH, STATE, 1-1-507

FISH, WILDLIFE, AND PARKS COMMISSION
  See also **FISH AND WILDLIFE**
Appeals by zoo or menagerie permittees, 87-4-807
Appointment to, 2-15-3402
Auction of licenses, rules
  moose, shiras, 87-2-724
  mountain sheep, 87-2-722
Bag limits, fixing, 87-1-304
Bears, grizzly — rules for, 87-5-302
Bid requirements for land or water sales, 87-1-209
Boating, use regulations, 23-2-525, 23-2-529, 87-1-303
Bow and arrow, rules for fishing with, 87-3-204
Camping, rules concerning, 23-2-408, 23-2-410, 87-1-303
Construction projects, approval required, 87-1-301
Cooperative agreements
  flathead county migratory bird reserve, regulation, 87-1-706
  lands or waters, for, 87-1-303
Crimestoppers Board, membership on, 2-15-3404
Duties generally, Title 87, chapter 1, part 3
Easement agreements, 87-1-303
Falconry, rules for, 87-5-204, 87-5-210
Federal agencies, agreements with, 87-1-303

FISH, WILDLIFE, AND PARKS COMMISSION (Continued)

Finance, Title 87, chapter 1, part 6
Fish and game wardens, 23-1-122, 23-2-410, 23-2-506, 23-2-806, 87-1-502; Title 87, chapter 1, part 5
Fish and fishing, generally, Title 87, chapter 3, part 2
  access site improvement or development, rules, 23-1-110
  commercial activities, Title 87, chapter 4, part 6
  contests, rules for regulation, 87-3-121
  interstate privileges, Title 87, chapter 2, part 10
  licenses, Title 87, chapter 2, part 3
Fur-bearing animals, duties, Title 87, chapter 3, part 5
  commercial activities, Title 87, chapter 4, parts 3 and 10
  trapping licenses, Title 87, chapter 2, part 6
Game, sale in commercial trade, Title 87, chapter 4, part 7
Game animals, generally, Title 87, chapter 3, part 3
  commercial activities, Title 87, chapter 4, part 4
  hunting regulation
    licenses and permits, Title 87, chapter 2, part 5
    special and combination licenses, Title 87, chapter 2, part 7
Game birds, generally, Title 87, chapter 3, part 4
  commercial activities, Title 87, chapter 3, part 9
  licenses and permits, Title 87, chapter 2, part 4
Grizzly bears
  donation or sale, approval, 87-1-511
  regulations, 87-5-302
Hearings, 87-1-241, 87-1-305, 87-4-807, 87-5-711, 87-5-712
Historic site acquisitions
  eminent domain, consent for, 87-1-209
  legislature, proposals to, 23-1-108
Importation, introduction, and transplantation — duties, Title 87, chapter 5, part 7
Installment contracts, approval required, 87-1-209
Landowners, agreements with, 87-1-303
Lands or waters
  acquisition, exchange, or sale — approval required, 87-1-209, 87-1-301
  closure and posting, 87-1-304
  fisheries, lease of appropriation rights to maintain streamflow for — consent required and study report, 85-2-102, 85-2-436 — 85-2-438
  refuges, establishment, Title 87, chapter 5, part 4
  use rules, 23-2-302, 23-2-408, 23-2-410, 87-1-301, 87-1-303
  wildlife habitat, acquisition, 87-1-241, 87-1-242
Lawfully taken wildlife, rules, 87-3-117
Lease agreements, 87-1-303
Licenses and permits, duties, Title 87, chapter 2
  agents, Title 87, chapter 2, part 9
  exceptions to requirements, Title 87, chapter 2, part 8
  special and combination, Title 87, chapter 2, part 7
  wildlife conservation, Title 87, chapter 2, part 2
Meetings, 87-1-302
Menageries and zoos, Title 87, chapter 4, part 8
Nongame wildlife, Title 87, chapter 5, part 1
  account, approval of use, 87-5-121
  programs, review and approval, 87-5-122
Off-highway vehicles, rules, 23-2-806
Offices, location, 87-1-106
Outdoor recreation resources, 23-2-101 — 23-2-103

FISH, WILDLIFE, AND PARKS COMMISSION (Continued)

Paddlefish roe as caviar, donation and sale program — advisory committee, appointments to and notice of actions by, 87-4-601
Park rangers, enforcement, 23-1-121, 23-1-122, 23-2-410, 23-2-506, 23-2-806, 87-1-502
Parks, state
  acquisition proposals to legislature, 23-1-108
  improvement or development, rules, 23-1-110
Penalties for violations, 87-1-102
Policies
  rules, 87-1-401
  setting, 87-1-301
  wildlife habitat, acquisition — for, 87-1-241
Possession limits, fixing, 87-1-304
Powers generally, Title 87, chapter 1, part 3
Preserves and refuges, creation, Title 87, chapter 5, part 4
Quasi-judicial, designation as, 2-15-3402
Quorum, 87-1-302
Raptors, rules for, 87-5-204, 87-5-210
Records, 87-1-302
Recreational use of streams, Title 23, chapter 2, parts 3 and 4
Seasons, fixing, 87-1-304
Secretary, 2-15-3401
Shooting preserves, Title 87, chapter 4, part 5
Smith River management, Title 23, chapter 2, part 4
Snare traps, rules, 87-3-107
Snowmobiles, rules, 23-2-641
State agencies
  agreements with, 87-1-303
  consultations, 87-5-716
State parks
  acquisition proposals to legislature, 23-1-108
  improvement or development, rules, 23-1-110
Stream access law, Title 23, chapter 2, part 3
Taxidermists, 87-4-201
Trapping, duties, Title 87, chapter 2, part 6
Vacancies, 2-15-3402
Waters, See **Lands or waters**
Whitefish, rules, 87-3-204, 87-4-601
Wildlife habitat, 87-1-241, 87-1-242

FISH, WILDLIFE, AND PARKS — DEPARTMENT OF
  See also **EXECUTIVE BRANCH; FISH AND WILDLIFE**
Acquisitions
  historical sites, 23-1-102, 23-1-108, 87-1-209
  lands or waters, See **Lands or waters**
  state parks, 23-1-102, 23-1-108
  wildlife generally, 87-1-221
Archaeological sites, authority, 23-1-101, 23-1-102, 23-1-107, 87-1-209
Beavers and dams, removal procedures, 87-1-224
Bid requirements for sale of lands or waters, 87-1-209
Biological programs, establishment, 87-1-210
Biological station, 23-1-201, 23-1-202, 87-5-404
Blind persons, certification, 87-2-803
Boating Advisory Council, 23-2-536
Boats, duties, 16-4-210, 87-1-202; Title 23, chapter 2, part 5
Bounty claim procedures, 87-1-206

FISH, WILDLIFE, AND PARKS — DEPARTMENT OF (Continued)

Budget, approval, 87-1-301
Buffalo, wild — management policy, 87-1-215
Capitol grounds, maintenance, 2-17-111
Centennial acre, designation and management, Title 2, chapter 89, part 2
Checking stations, establishment, 87-1-207
Civil disorder, prohibited activities and exceptions, 45-8-107 — 45-8-109
Claims, payment procedures, 87-1-602
Clothing for hunters, rules to implement color requirements, 87-3-302
Commercial activities involving wildlife, Title 87, chapter 4
Community service corps and volunteer projects, 90-14-105
Condemnation powers, See **Eminent domain**
Confiscated carcasses, donation to public entities, 87-1-512
Conservancy districts, scope of authority, 85-9-104, 85-9-202, 85-9-204
Construction projects, approval and review, 87-1-301
    stream protection, 75-7-112, 75-7-113; Title 87, chapter 5, part 5
Cooperative agreements
    counties, 7-8-2507
    federal preserves, hunting rights on contiguous land, 87-1-227
    fish restoration and management projects, 87-1-701 — 87-1-703
    indian lands, hunting and fishing regulations, 87-1-228
    interstate fishing privileges, 87-2-1001 — 87-2-1004
    nongame and endangered species, management programs, 87-5-108
    research and management training, 87-1-210
    wildlife restoration projects, 87-1-708, 87-1-709
Counsel for indigent persons, expense, 46-8-201
Creation, 2-15-3401
Crimestoppers Board and program, 87-5-601 — 87-5-606
Criminal justice agency, as, 23-1-106, 23-2-410, 23-2-506, 23-2-641, 23-2-806, 87-1-502
Dingell-Johnson Bill, assent to, 87-1-701 — 87-1-703
Director, Title 87, chapter 1, part 4
    appointments by, 87-1-404
    confirmation by senate, Const., VI, 8
    counties, payments in lieu of taxes for department-owned land — approval of disapproval, 87-1-603
    crimestoppers board, appointments to, 2-15-3404
    deeds, countersignature, 87-1-209
    department head, as, 2-15-3401
    deputy director, appointment, 87-1-404
    employees, regulation, 87-1-403
    enforcement personnel, employment, 23-1-106
    firewarden, as, 77-5-104
    fish hatcheries, supervision and distribution or exchange of fish, 87-3-202
    flathead basin commission, ex officio member, 2-15-213
    laws, fish and game — compilation, publication, and distribution, 87-1-405
    license agents, appointment, 87-2-901
    licenses, procurement and affidavit, 87-2-106
    oath and affirmation, 87-1-402
    salmonid fish or eggs, certification requirements, 87-3-221
    term of office, Const., VI, 8
    wardens, appointment, 87-1-404
    water pollution control advisory council, member, 2-15-2107
    wetlands protection advisory council, appointment, 2-15-3405
Disabled persons, certification, 23-1-105, 87-2-803
Drought Advisory Committee, representation, 2-15-3308
Duties generally, Title 87, chapter 1, part 2

FISH, WILDLIFE, AND PARKS — DEPARTMENT OF (Continued)

Easements, acquisition, 87-1-209
Educational institutions, cooperative agreements, 87-1-210
Eminent domain, power of
  limitation, 23-1-102, 87-1-209
  prohibited when, 23-2-103, 87-1-703, 87-1-709
Employees
  confiscated or destroyed birds and animals, 87-1-201, 87-1-226, 87-1-511 — 87-1-514, 87-4-807
  ex officio wardens, employees as, 87-1-503
  expenses, travel, 87-1-403, 87-1-503, 87-1-602
  fish or eggs, testing, inspection, and approval, 87-3-210, 87-3-223
  grievance procedures, 87-1-205, 87-1-403
  hearings, demand for, 87-1-403
  natural resource data system advisory committee, appointment to, 2-15-1514
  outfitters, board of — appointment to, 2-15-1883
  political affiliation prohibited, 87-1-204
  salaries, 87-1-403, 87-1-601, 87-1-602
  snowmobiles, game management with, 23-2-633
  stock-killing animals, means of pursuit, 87-3-127
  suspension, demotion, or removal, 87-1-201, 87-1-403
Endangered species, See **Nongame and endangered species**
Enforcement powers, 23-1-122, 23-2-410, 23-2-506, 23-2-634, 23-2-641, 23-2-806, 87-1-201, 87-1-404, 87-1-502, 87-1-506, 87-5-111, 87-5-509
Facility siting, responsibilities
  applications, copies to, 75-20-211, 75-20-225
  long-range plans filed with, 75-20-501
  party to proceedings, 75-20-221
  reports regarding, 75-20-216, 75-20-226
Falconry, licensing and regulation, Title 87, chapter 5, part 2
Federal
  acquisitions, review and hearings, 87-1-713, 87-1-714
  actions adversely affecting fish and wildlife, reports and records, 87-5-508
  agencies, cooperation, 23-1-107, 87-1-210, 87-5-107, 87-5-108
  rules, enforcement and applicability to state, 87-3-403
Firearms safety or training courses, 45-8-321
Fire danger areas, request for closure, 87-3-106
Fish and game wardens, Title 87, chapter 1, part 5
Fish and fishing, generally, Title 87, chapter 3, part 2
  access site improvement or development, rules, 23-1-110
  commercial activities, Title 87, chapter 4, part 6
  contests, rules for regulation, 87-3-121
  interstate privileges, Title 87, chapter 2, part 10
  licenses, Title 87, chapter 2, part 3
Funds, appropriation and control, Title 87, chapter 1, part 6
Fur-bearing animals, generally, Title 87, chapter 3, part 5
  commercial activities, Title 87, chapter 4, parts 3 and 10
  trapping licenses, Title 87, chapter 2, part 6
Game animals, generally, Title 87, chapter 3, part 3
  commercial activities, Title 87, chapter 4, part 4
  hunting regulation
    licenses and permits, Title 87, chapter 2, part 5
    special and combination licenses, Title 87, chapter 2, part 7
Game birds, generally, Title 87, chapter 3, part 4
  commercial activities, Title 87, chapter 3, part 9
  licenses and permits, Title 87, chapter 2, part 4

FISH, WILDLIFE, AND PARKS — DEPARTMENT OF (Continued)

Game wardens, Title 87, chapter 1, part 5
Grazing districts, wildlife protection within, 76-16-107
Grizzly bears or parts, registration for sale, 87-3-110
Guides and guiding, Title 37, chapter 47
Hearings, 87-1-403, 87-4-423, 87-4-607, 87-1-714, 87-4-916, 87-4-1013
Herding wildlife, methods, 87-3-124, 87-3-128
Historical sites and monuments, authority, 23-1-101, 23-1-102, 23-1-107, 23-1-110, 87-1-209
Hunter safety courses, 45-8-321, 87-2-105
Identification of certain animals, 87-1-231 — 87-1-234
Importation, introduction, and transplantation, duties, Title 87, chapter 5, part 7
Importation of wildlife generally, 87-1-221
Indians, agreement for hunting and fishing regulations, 87-1-228
Information
  budget and program planning, office of — report to, 87-2-722
  upland game bird enhancement program, dissemination, 87-1-247
In-kind payment of estate and inheritance taxes, receiving entity, 72-16-445 — 72-16-450
Installment contracts, authorization, 87-1-209
Interstate fishing privileges, agreements, 87-2-1001 — 87-2-1004
Land Commissioners, Board of — approval required, 87-1-209
Landowner-sportsman relationships, See **FISH AND WILDLIFE, Landowners**
Lands or waters
  acquisition or exchange, 23-1-102, 23-1-108, 87-1-209, 87-1-242, 87-1-301
  department-owned, payments in lieu of taxes, 87-1-603, 87-1-604
  federal acquisitions, review and hearings, 87-1-713, 87-1-714
  federally owned, cooperative agreements on, 87-1-703
  fisheries, lease of appropriation rights to maintain streamflow for, 85-2-102, 85-2-402, 85-2-404, 85-2-436 — 85-2-438, 87-1-610
  fishing, designation of waters for specific methods when, 87-3-204
  fish propagation, control of waters for, 87-1-223
  fish restoration and management projects, cooperative agreements, 87-1-701 — 87-1-703
  funds, 87-1-605
  posting, 87-1-227
    requirements, education, and information, 45-6-201
  preserves and refuges, closure of land for, 87-5-402
  sale procedures, 87-1-209
  smith river management, Title 23, chapter 2, part 4
  use rules, establishment, 23-1-106, 87-1-301
  water rights adjudication, 85-2-223
  wetlands protection, conservation, and development, 87-2-412
Lease authority, 23-1-102, 23-1-109, 85-2-436 — 85-2-438
Legal adviser, 87-1-105
License agents
  bond or security requirements, 87-2-902
  general provisions, 87-2-903
Licenses and permits, duties, Title 87, chapter 2
  agents, Title 87, chapter 2, part 9
  exceptions to requirements, Title 87, chapter 2, part 8
  special and combination, Title 87, chapter 2, part 7
  wildlife conservation, Title 87, chapter 2, part 2
Livestock, Department of — cooperation with, 81-7-102, 87-5-716
Locating wildlife, methods, 87-3-124, 87-3-128
Lodging facility use tax proceeds, allocation and use, 15-65-121, 23-1-131
Meat from wild animals, donation to public entities, 87-1-226, 87-1-512

FISH, WILDLIFE, AND PARKS — DEPARTMENT OF (Continued)

Megalandfill siting
  application, copy to, 75-10-918
  long-range plan filed with, 75-10-913
  party to proceedings, 75-10-927
Menageries, Title 87, chapter 4, part 8
Montana Agricultural Center and Museum of the Northern Great Plains —
  jurisdiction, custody, and control, 23-1-109
Montana Conservation Corps, Title 23, chapter 1, part 3
Natural Resource Data System
  advisory committee, employee appointed to, 2-15-1514
  data source agency, 90-15-102
Nongame and endangered species, Title 87, chapter 5, part 1
  enforcement, 87-5-111
  investigations, 87-5-104
  management programs, establishment, 87-5-108
  nongame wildlife
    account, 15-30-150, 87-5-102, 87-5-121, 87-5-122
    programs, 87-5-122
  review of list, 87-5-107
  rules, 87-5-110
  taking of species, 87-5-109
Noxious weed management, cooperative agreements, 7-22-2151
Off-highway vehicles
  dealer registration fees, 23-2-818
  decal fees, 23-2-804, 23-2-809
  enforcement, 23-2-806
  fines, 23-2-807
  safety education training program, 23-2-823
Offices, location and rental fees, 87-1-106
Outdoor recreation resources, development, 23-2-101 — 23-2-103, 87-1-209
Outfitters and guides, Title 37, chapter 47
Paddlefish roe as caviar, donation and sale — rules and agreement, 87-4-601
Park rangers, 23-1-121, 23-1-122
Parks Division, Montana conservation corps within, Title 23, chapter 1, part 3
Parks, state — authority, Title 23, chapters 1 and 2
Personnel, See **Employees**
Personnel Appeals, Board of — orders by, 87-1-205
Pesticide registration, 80-8-201
Pheasant enhancement program, 87-1-247, 87-1-248
Pittman-Robertson Act, assent to, 87-1-708 — 87-1-710
Powers generally, Title 87, chapter 1, part 2
Predator control, cooperation, Title 81, chapter 7
Preserves and refuges, Title 87, chapter 5, part 4
Propagation of wildlife generally, 87-1-221
Property
  damage by wild animals, 87-1-225, 87-1-226
  state-owned, sale and disposition of proceeds, 87-1-201
  trust account for development and maintenance, 87-1-242, 87-1-601
Publication, posting, or legal notice, 23-2-504, 87-1-202, 87-1-203
Public shooting areas, payments authorized, 87-1-227
Raptors, regulations, Title 87, chapter 5, part 2
Recreational use of state lands, Title 77, chapter 1, part 8
Recreational use of streams, Title 23, chapter 2, parts 3 and 4
Regional headquarters facilities, funds for construction, 17-5-416

FISH, WILDLIFE, AND PARKS — DEPARTMENT OF (Continued)

Reports
  budget and program planning, office of — to, 87-2-722
  state park or fishing access site improvement or development, requirements, 23-1-110
  to legislature, 87-1-250
Revenue, Title 87, chapter 1, part 6
River restoration program, 87-1-256 — 87-1-258
Safety
  boating programs, 16-4-210, 23-2-530, 87-1-303
  hunter instruction, 87-2-105
  lands or waters, recreational use rules, 87-1-303
Salmonid fish or eggs, 87-3-209, 87-3-221 — 87-3-224
Shooting areas, payments authorized, 87-1-227
Shooting preserves, Title 87, chapter 4, part 5
Smith River management, Title 23, chapter 2, part 4
Snowmobiles, authority, Title 23, chapter 2, part 6
State agencies
  consultations, 87-5-716
  cooperation, 23-1-107, 87-1-210, 87-5-108
State lands, recreational use, Title 77, chapter 1, part 8
State parks, authority, Title 23, chapters 1 and 2
Statistics and information, collection and diffusion, 87-1-210
Stream access law, Title 23, chapter 2, part 3
Streambed and Land Preservation Act, Natural, administration, Title 75, chapter 7, part 1
Streambed protection, enforcement powers, 87-5-509
Supervision of, Const., VI, 8
Supervisory powers, 87-1-201
Tagging provisions, prescribing, 87-2-509
Tattooing of certain animals, 87-1-231 — 87-1-234
Timber sales, onsite consultations — representation, 76-13-132
Transplantation of wildlife, duties, Title 87, chapter 5, part 7
Trapping, Title 87, chapter 2, part 6
Violation and penalty, 23-1-106, 87-1-102, 87-3-227
Wardens, Title 87, chapter 1, part 5
Water conservancy districts, authority, 85-9-104, 85-9-202, 85-9-204
Waterfowl stamp artwork, procurement and sale, 87-2-412
Waters, See **Lands or waters**
Weed management, cooperative agreements, 7-22-2151
Wetlands Protection Advisory Council, 2-15-3405
Wild buffalo, management policy, 87-1-215
Whitefish sales, reports, 87-4-605
Zoos and menageries, Title 87, chapter 4, part 8

FLAG
American — schools, procurement and display, 20-3-324
Cities and towns, 7-1-4124
Desecration unlawful, 45-8-215
Flag Day, 20-1-306
State, 1-1-502
Trademarks, use of united states flag unregistrable, 30-13-303

FLATHEAD BASIN COMMISSION ACT OF 1983, Title 75, chapter 7, part 3
  See **LAKES**

FLOODPLAINS AND FLOODWAYS
Actions regarding, 76-5-109

FLOODPLAINS AND FLOODWAYS (Continued)

Alteration, 76-5-203
Appeals from orders concerning, 76-5-209
Artificial obstructions, See **Obstructions**
Conservation districts, Title 76, chapter 15, See **CONSERVATION DISTRICTS**
Construction projects affecting streams, See **RIVERS AND STREAMS, Streambed protection**; See also generally **LIENS, Construction liens**
Dams or dikes, See **Obstructions**
Definitions, 76-5-103
Delineation, program for, 76-5-201
Designation, 76-5-103, 76-5-202
  data concerning, 76-5-205
  existing artificial obstructions or nonconforming uses, effect, 76-5-404
Development, 76-5-102
Drainways, See **Watercourses and drainways**
Easements for, 70-17-101
Federal money, allocation, 17-3-231, 17-3-232
Federal supremacy, 76-5-107
Findings, 76-5-101
Fines for unlawful practices, 76-5-110
Flood Control Act, Federal — money from, 17-3-231, 17-3-232
Floodway obstruction removal fund, 76-5-207, 76-5-405
Forest practices in streamside management zones, 77-5-301 — 77-5-307
Information concerning, dissemination, 76-5-201
Investigations, 76-5-105, 76-5-201, 76-5-206
Land use regulations
  administration and enforcement, 76-5-102, 76-5-301, 76-5-302
  existing artificial obstructions or nonconforming uses, effect, 76-5-404
  federal flood insurance requirements, 76-5-301
Local government, See **Political subdivisions**
Management, 76-5-102
Minimum standards
  adoption, 76-5-205
  enforcement, 76-5-302
  land use regulations, 76-5-301, 76-5-302
  variance requests, 76-5-406
Nonconforming uses
  establishment prohibited when, 76-5-301, 76-5-404
  investigation, 76-5-105
  maintenance, 76-5-405
  permit for, 76-5-404, 76-5-405
  prohibited when, 76-5-403
Obstructions, 76-5-103
  damage actions, presumption of cause, 76-5-109
  establishment prohibited when, 76-5-301, 76-5-404
  exemption for small drainage area, 76-5-106
  existing, effect of provisions, 76-5-404
  fund, floodway obstruction removal, 76-5-207, 76-5-405
  investigation, 76-5-105
  maintenance, 76-5-404, 76-5-405
  permit for, 76-5-404, 76-5-405
  removal or repair, orders for, 76-5-206, 76-5-208
    fund, floodway obstruction removal, 76-5-207, 76-5-405
Open-space uses, 76-5-401, See also **Uses within**
Ordinary high-water mark, not considered to lie within, 23-2-301
Permits, 76-5-404, 76-5-405

FLOODPLAINS AND FLOODWAYS (Continued)
Permits (Continued)

added requirement, as, 76-5-108
local control, substitution for, 76-5-302
remedies, effect on granting or denial, 76-5-109
Policy, 76-5-102
Political subdivisions, 76-5-103
consultations with, 76-5-201
designation data furnished to, 76-5-205
investigation requests by, 76-5-105
land use regulations, 76-5-301, 76-5-302
management by, 76-5-102
minimum standards, input concerning, 76-5-205
permits
artificial obstructions or nonconforming uses, for, 76-5-404, 76-5-405
issuance ordinances, regulations, or resolutions, 76-5-302
powers suspended when, 76-5-302
responsible, 76-5-103
entry upon lands and waters, consent or notice, 76-5-105
investigations by, 76-5-105
Purpose of provisions, 76-5-102
Responsible political subdivisions, See **Political subdivisions**
Sheetflood areas, management regulations within, 76-5-301
Soil conservation districts, Title 76, chapter 15, See **CONSERVATION DISTRICTS**
Stream alteration or modification projects, 75-7-105, See **RIVERS AND STREAMS, Streambed protection**
Streamside management zones, forest practices in, 77-5-301 — 77-5-307
Subdivisions prohibited within, when, 76-3-504
Unlawful practices, 76-5-110, 76-5-404
Uses within
floodplain, outside of floodway, 76-5-402
nonconforming, See **Nonconforming uses**
obstructions, See **Obstructions**
open-space, permissible uses, 76-5-401
protection from floods, 76-5-102
restrictions or prohibitions, 76-5-102
structures permissible when, 76-5-402
variances, 76-5-405
criteria, 76-5-205, 76-5-406
violations and penalties, 76-5-110
Variances, 76-5-205, 76-5-405, 76-5-406
Watercourses and drainways, 76-5-102, 76-5-103
depression presumed to be, 76-5-104
exemption of obstruction when, 76-5-106
flood control projects, Title 76, chapter 5, part 11, See **FLOODS, Control projects**
titleholders of land abutting
investigation requests by, 76-5-105
orders affecting, 76-5-208

FLOODS
Alfalfa leaf-cutting bees, emergency situations concerning, 80-6-1102
Appropriation, flood waters subject to, Const., IX, 3
Banks, "emergency" defined, 32-1-561
Cities and towns
emergency expenditures and liabilities, 7-6-4251
purchases, exemption from bid requirements, 7-5-4303
Coal mine safety, map of underground working, 50-73-203

FLOODS (Continued)

Community college districts, "emergency" defined, 20-15-323
Conservation easements, Title 76, chapter 6, part 2
Conservation for control, Title 76, chapter 15
Control channels, recreational use, Title 23, chapter 2, part 3
Control projects
  assessments, 76-5-1113, 76-5-1116
  authorization, 76-5-1101
  bonds, authorization and procedure, 76-5-1117
  boundaries, requirements to change, 76-5-1106
  cooperation with other agencies, 76-5-1110
  construction
    costs, 76-5-1111
    responsibility, 76-5-1107
  construction of provisions, 76-5-1104
  contracts, 76-5-1105
    governmental, 76-5-1110
    railroads and highways, for use, 76-5-1109
  county water and/or sewer districts, 7-13-2218
  division of work, 76-5-1105
  drainage districts, See **DRAINAGE DISTRICTS, Flood control**
  funds and funding
    acceptance, 76-5-1110
    apportionment of costs, 76-5-1111
    fees and charges, authorization, 76-5-1115
    special assessments, 76-5-1113, 76-5-1114
    sources, 76-5-1112, 76-5-1115
  highways and railroads
    contracts for use, 76-5-1109
    right-of-way and property, right to cross, 76-5-1108
  local government, alteration of existing form, 7-3-122
  local responsibility, 76-5-1107
  methods of organization, 76-5-1104
  property, acquisition, 76-5-1108, 76-5-1110
  public purpose, declared as, 76-5-1103
  right-of-way
    costs, 76-5-1107, 76-5-1111, 76-5-1112
    railroads or highways, right to cross, 76-5-1108
  types, 76-5-1102
  water conservancy districts, by, 85-9-102
  water works, defined as, 85-1-102
Counties
  emergency expenditures and liabilities, 7-6-2341, 7-6-2344
  purchases, exemption from bid requirements, 7-5-2304
Criminal justice information systems, security, 44-5-401
Dams and reservoirs
  "emergency" defined, 85-15-106
  eminent domain for permanent flooding from construction, 70-30-104
  failure or rupture, liability for damages caused by, 85-15-305
Definitions, 76-5-103
Dikes, See **Control projects**
Disaster, 10-3-103, See also **EMERGENCIES AND EMERGENCY POWERS**
  expenditures restricted, 10-3-311
Drainage districts to control, Title 85, chapter 8
Easements
  conservation, Title 76, chapter 6, part 2

FLOODS (Continued)
Easements (Continued)

  right of flooding land for, 70-17-101
Facility siting provisions, waiver when, 75-20-304
Emergency services, See **EMERGENCIES AND EMERGENCY POWERS**
Flood Control Act, federal — allocation of money from, 17-3-231, 17-3-232, 20-9-331
Floodplains and floodways, Title 76, chapter 5, parts 1 — 4
Insurance, 10-3-311, 76-5-301
Irrigation ditch owners and operators, nonliabilities, 85-7-2212
Levees, See **Control projects**
Malls, protection facilities, 7-14-4704
Mines and mining
  coal, designation of land unsuitable for, 82-4-228
  reclamation, "alluvial valley floor" and "prime farmland" defined, 82-4-203
Motor vehicles
  damaged by floods, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Salvage vehicles**
  new, extension of warranty period, 61-4-502
100-year frequency, 76-5-103
  structures within area, construction requirements, 76-3-504, 76-5-402
Ownership of flood waters by state, Const., IX, 3
Pedestrian malls, protection facilities, 7-14-4704
Planning boards, master plans, 76-1-601
Prevention and conservation, Title 76, chapter 15
Property tax reduction for property destroyed by, 15-16-611
Reservoirs, See **Control projects; Dams and reservoirs**
Schools
  budget amendment purpose, 20-9-161
  "emergency" defined, 20-9-802
  federal flood control act funds, 17-3-231, 17-3-232, 20-9-331
  transportation services, determination of reasonable passage, 20-10-106
Streams, construction or hydraulic projects — emergency situations, 87-5-506
Water conservancy districts for prevention, 85-9-102

FLOWER, STATE, 1-1-503

FOOD AND FOOD PRODUCTS
Actions
  organic foods, mislabeling, 50-31-231
  publication of judgments, decrees, and orders, 50-31-105
Additives, 50-31-103
  adulteration, as, 50-31-202
  agricultural chemicals, 50-31-110
  color additives, 50-31-103, 50-31-202, 50-31-203, 50-31-222
  pesticide chemicals, exclusion, 50-31-103
  rulemaking authority, 50-31-108, 50-31-109
  use, 50-31-109, 50-31-202
Adulterated articles, 50-31-202
  additives, as adulteration when, 50-31-109, 50-31-202
  detainer, 50-31-509
  guaranty against, 50-31-507
  ingredients causing, 50-31-203
  undertaking against, 50-31-507
  unlawful, 50-31-501
Advertising, 50-31-103
  false or misleading, 50-31-107, 50-31-223, 50-31-502
    liability, 50-31-507
    Montana quality label, 81-8-705

FOOD AND FOOD PRODUCTS (Continued)
Advertising (Continued)
  false or misleading (Continued)
    unlawful, 50-31-501, 50-31-502
  honey, 50-31-502
  organic foods, 50-31-223, 50-31-231
Agricultural practices, sustainable, 20-25-233 — 20-25-236
Agriculture, See **AGRICULTURE**
Agriculture, Department of — inspections by, 81-8-701
Applicability of laws, 50-31-103
  drug laws, exclusion, 50-31-103, 50-32-101
  federal laws, 50-31-103, 50-31-108, 50-31-201 — 50-31-203, 50-31-501
  pesticide chemicals, 50-30-201, 50-31-103, 50-31-222
Artificial flavorings, labeling requirements, 50-31-203
Associations, See **AGRICULTURAL ASSOCIATIONS; AGRICULTURAL MARKETING ASSOCIATIONS**
Beef patty mix, 50-31-208, See **MEAT AND MEAT PRODUCTS**
Bottled water, regulation, 50-31-103, 50-31-236 — 50-31-238
Bread, See **Flour and bread**
Canola seed oil processing facility machinery and equipment, tax classification and rate, 15-6-136
Carriers, inspection, 50-31-106
Charities, donated food — liability when unfit for human consumption, 27-1-716
Chewing gum, 50-31-103, 50-31-202
Children, "harm to a child's health or welfare" defined, 41-3-102
City inspections and supervision, 7-3-4463, 7-21-4202
Color additives, 50-31-103, 50-31-202, 50-31-203, 50-31-222, See **Additives**
Condemnation when perishable, 50-31-510
Confectionaries, 50-31-202
Containers
  flour and bread, inspections, 50-34-104
  hazardous substance, reuse for, 50-30-202, 50-30-301
  misleading, 50-31-203
  Montana quality label, Title 81, chapter 8, part 7
  soft drinks, detachable openings prohibited, 75-10-301 — 75-10-303
  standards, 50-31-201, 50-31-203
  unsafe, 50-31-202
Cooperative associations, See **AGRICULTURAL ASSOCIATIONS; AGRICULTURAL MARKETING ASSOCIATIONS**
County market master, duties, 7-21-3322
Criminal charges, See **Unlawful practices**
Dairy products, See **DAIRIES AND DAIRY PRODUCTS**
Damages for embargo or detainer of an article, 50-31-509
Day-care facilities, in, 52-2-702, 52-2-723, 52-2-735
Definitions, 50-31-103
Destruction
  adulterated or misbranded article, 50-31-509, 50-31-510
  restraint of trade, 30-14-217, 30-14-224
  unsafe, when, 50-31-510
Detainer of adulterated or misbranded articles, 50-31-509
  removal or disposal of article unlawful, 50-31-501, 50-31-509
Detention center inmates, 7-32-2128, 7-32-2205, 7-32-2207
Developmentally disabled persons in residential facilities, right to good nutrition, 53-20-142
Dietitians, Title 37, chapter 21
Disposal agreements when adulterated or misbranded, 50-31-509
Donated food, liability when unfit for human consumption, 27-1-716
Drug, exclusion as, 50-31-103, 50-32-101

FOOD AND FOOD PRODUCTS (Continued)

Eggs, Title 81, chapter 20, See **POULTRY AND EGGS**
Embargo of adulterated or misbranded articles, 50-31-501, 50-31-509
Emergencies
  energy supply, 90-4-304, 90-4-307
  regulation, 10-3-505
Factories, inspection, 50-31-106
False advertising, See **Advertising**
Farm animal and research facilities protection, Title 81, chapter 30, part 1
Farmers markets, Title 7, chapter 21, part 33
Federal laws, 50-31-103
  adoption by reference, 50-31-104, 50-31-201
  applicability, 50-31-103, 50-31-108, 50-31-201 — 50-31-203, 50-31-501, 50-34-108
Filled dairy products, prohibitions, 81-22-411
Fish or game suitable for, waste — penalty, 87-3-102
Flavorings, labeling requirements, 50-31-203
Flour and bread, 50-34-101
  city inspection, 7-21-4202
  enforcement of provisions, 50-34-109, 50-34-110
  federal standards, applicability, 50-34-108
  inspections of premises or vehicles for transportation, 50-34-104
  interstate shipment standards, applicability, 50-34-108
  labeling requirements, 30-12-302
    exceptions, 50-34-109
  packaging, 30-12-402, 30-12-405
  penalties, 50-34-110
  sizes, 30-12-302, 30-12-402, 30-12-405
  violations, 50-34-110
  vitamin and mineral content requirements
    bread, 50-34-107
    exceptions, 50-34-106, 50-34-109
    federal standards, uniformity with, 50-34-108
    flour, 50-34-105
      exceptions, 50-34-106
    shortage of ingredients, effect, 50-34-109
  weights, 30-12-302, 30-12-402, 30-12-405
Food, Drug, and Cosmetic Act, Title 50, chapter 31, See **COSMETICS; DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**
Food establishments, Title 50, chapter 50, See **FOOD ESTABLISHMENTS**
Food stamps, See **PUBLIC ASSISTANCE**
Fruit, Title 80, chapter 3, See **PRODUCE**
Good Faith Donors Act, 27-1-716
Grains, Title 80, chapters 4 and 5, See **AGRICULTURAL COMMODITIES; AGRICULTURAL SEEDS**
Guaranty against adulteration or misbranding, 50-31-501, 50-31-507
Hamburger, 50-31-208, See **MEAT AND MEAT PRODUCTS**
Hazardous chemical provisions, nonapplicability, 50-78-103
Health and Environmental Sciences, Board of — trade secrets, disclosure to, 50-31-501
Health care facility standards, 53-6-106
Health information, publication, 50-31-105
Home arrestees, responsibility, 46-18-1005
Honey, labeling, 50-31-103, 50-31-204, 50-31-502, 50-31-506, 50-31-508, See also **APIARIES**
Injunction of unlawful practices, 50-31-231, 50-31-508
Inspections
  agriculture, department of — by, 81-8-701
  authorization, 50-31-106

FOOD AND FOOD PRODUCTS (Continued)
Inspections (Continued)

  city and town, 7-3-4463, 7-21-4202
  county market master, duties, 7-21-3322
  federal, 81-8-702
  flour and bread, premises and vehicles, 50-34-104
  food establishments, Title 50, chapter 50, See **FOOD ESTABLISHMENTS**
  livestock, department of — by, 81-8-701, 81-8-702
  permits for manufacturing, processing, and packing — for, 50-31-206, 50-31-207
  public welfare, director of — by, 7-3-4463
  refusal to permit, 50-31-501
Institutions, in
  agriculture program for raising, 52-1-103, 53-1-203
  meat from wild animals distributed to, 87-1-226, 87-1-512
  persons in, right to good nutrition, 53-20-142
  prisoners, deprivation prohibited, 53-30-104
  school food services, extension to, 20-10-206
Investigations
  flour and bread, 50-34-104
  permits for manufacturing, processing, and packing — prerequisite for, 50-31-205
  publication of results, 50-31-105
Judgments, publication, 50-31-105
Jurisdiction of courts, 50-31-509
Labeling, 50-31-103, See also **Misbranded articles**
  alteration, 50-31-501
  beef patty mix, 50-31-208
  bread, 30-12-302
  compliance with requirements, 50-31-111
  contents, 50-31-203, 50-31-223
  correction, 50-31-509
  flour, 30-12-302
  forgery or counterfeiting, 50-31-501
  hamburger, 50-31-208
  honey, 50-31-204, 50-31-502, 50-31-506, 50-31-508
  minors' employment prohibited, exemptions, 41-2-106, 41-2-107
  misleading, 50-31-107
  Montana quality, Title 81, chapter 8, part 7
  noncompliance, 50-31-501
  organic foods, See **Organic foods, labeling**
  requirements, 50-31-111, 50-31-201, 50-31-223
  rulemaking authority, 50-31-201
Laetrile as dietary supplement, 50-41-106
"Lawful product" defined, 39-2-313
Licensing
  food establishments, Title 50, chapter 50, See **FOOD ESTABLISHMENTS**
  soft drink establishments, 7-21-4102
Manufacturing permits, See **Permits for manufacturing, processing, and packing**
Marketing associations, See AGRICULTURAL ASSOCIATIONS; AGRICULTURAL MARKETING ASSOCIATIONS
Meat and meat products, Title 81, chapter 9, See **MEAT AND MEAT PRODUCTS**
Mentally ill persons, institutionalized — right to good nutrition, 53-21-142
Milk products, Title 81, chapters 21 — 23, See **DAIRIES AND DAIRY PRODUCTS**
Misbranded articles, 50-31-203, See also **Labeling**
  detainer, 50-31-509
  guaranty or undertaking against, 50-31-501, 50-31-507
  unlawful, 50-31-501

FOOD AND FOOD PRODUCTS (Continued)

Montana quality label, 81-8-701
    description, 81-8-702
    use, limitation, 81-8-703, 81-8-704
    wrongful use, penalties, 81-8-705
Montana Truth in Labeling Act for Organic Foods, 50-31-221 — 50-31-223, 50-31-231, See **Organic foods, labeling**
Naturopathic physicians, therapies used by, 37-26-301, 37-26-302
Nonprofit organizations, donated food — liability when unfit for human consumption, 27-1-716
Nuisance, perishable food as, 50-31-510
Nutrition and nutritionists, Title 37, chapter 25
Offenses, See **Unlawful practices**
Organic foods, labeling, 50-31-103, 50-31-222
    citation of Montana truth in labeling act for organic foods, 50-31-221
    good faith representations, 50-31-231
    injunction to restrain violations, 50-31-231
    mislabeling, 50-31-203
    requirements, 50-31-223
Packing permits, See **Permits for manufacturing, processing, and packing**
Penalties, See **Unlawful practices**
Permits for manufacturing, processing, and packing
    inspections, 50-31-206, 50-31-207
    investigation prerequisite, 50-31-205
    reinstatement, 50-31-207
    required when, 50-31-205
    suspension, 50-31-206, 50-31-207
Pesticide chemicals, applicability of laws, 50-30-201, 50-31-103, 50-31-108, 50-31-109, 50-31-202, 50-31-222
Phenylketonuria (PKU), insurance coverage for treatment, 33-22-131, 33-31-102
Postattack emergency regulation, 10-3-505
Poultry, See **POULTRY AND EGGS**
Preservatives, labeling requirements, 50-31-203
Prisoners, deprivation as punishment prohibited, 53-30-104
Processing permits, See **Permits for manufacturing, processing, and packing**
Prohibited acts, See **Unlawful practices**
Publication of information by Department of Health and Environmental Sciences, 50-31-105
Public markets, Title 7, chapter 21, part 33
Public welfare, director of — inspections and supervision, 7-3-4463
Research and farm animal facilities protection, Title 81, chapter 30, part 1
Restaurants, See **FOOD ESTABLISHMENTS**
Sales or marketing representatives, minimum wage and overtime compensation exclusions, 39-3-406
School services, See **SCHOOLS, Food services**
Soft drinks
    containers, detachable openings prohibited, 75-10-301 — 75-10-303
    establishments
        city license, 7-21-4201
        discriminatory practices, See **DISCRIMINATION, Public accommodations**
    trademarks, registration, See **TRADE REGULATION AND COMPETITION, Trademarks and service marks**
Spices, labeling requirements, 50-31-203
Standards generally, 50-31-201
Trade secrets, disclosure to board or department of health and environmental sciences, 50-31-501

FOOD AND FOOD PRODUCTS (Continued)

Truth in Labeling Act for Organic Foods, 50-31-221 — 50-31-223, 50-31-231, See **Organic foods, labeling**
Undertaking against adulterated or misbranded articles, 50-31-501, 50-31-507
Unlawful practices
  adulteration of articles, 50-31-501, 50-31-509
  destruction of food when, 30-14-217, 30-14-224
  detainer or embargo, 50-31-509
    removal of article, 50-31-501
  disposal agreements, 50-31-509
  enumerated, 50-31-501
  false advertising, 50-31-501, 50-31-507
  fines, 50-31-506, 50-34-110
  flour and bread, violations generally, 50-34-110
  good faith in receipt of food, effect, 50-31-501, 50-31-507
  guaranty, false, 50-31-501, 50-31-507
  hearing, 50-31-504
  injunction to restrain, 50-31-231, 50-31-508
  inspections, refusal, 50-31-501
  label — false representation by, alteration, or destruction, 50-31-231, 50-31-501, 50-31-509
  minor violations, prosecution not required, 50-31-503
  misbranding of articles, 50-31-501, 50-31-509
  Montana quality label, wrongful use, 81-8-705
  notice, 50-31-503, 50-31-504
  organic foods, violation of labeling requirements, 50-31-231
  penalties, 50-31-506, 50-31-507
  prosecution, 50-31-503, 50-31-505
  publication of judgments, decrees, and orders, 50-31-105
  trademark, falsification, 50-31-501
  trade secrets, disclosure, 50-31-501
  undertaking, false, 50-31-501, 50-31-507
  warning, 50-31-503
Vegetables, Title 80, chapter 3, See **PRODUCE**
Vending facilities, Title 18, chapter 5, parts 4 and 5
Violations, See **Unlawful practices**
Warehouses, inspection, 50-31-106
Warning notice upon violations, 50-31-503
Warranty of merchantability, 30-2-314

FOOD AND NUTRITION
Advisory council, 2-15-2210; Title 50, chapter 49, part 1
Citation of Montana Access to Food and Nutrition Act, 50-49-101
Definitions, 50-49-103
Food and Nutrition Act, Montana Access to, Title 50, chapter 49, part 1
Gifts or grants, 50-49-106
Programs and services, 50-49-103
  promotion, 50-49-105
  public education, 50-49-105, 50-49-107
  technical assistance, 50-49-107
Public health nutritionist, 50-49-107
Purpose of provisions, 50-49-102
Women, infants and children (WIC) food supplement program, 2-15-2210, 50-49-103, 50-49-108

FOOD, DRUG, AND COSMETIC ACT, Title 50, chapter 31
  See specific commodity

FOOD ESTABLISHMENTS
Access of health officers and sanitarians to establishments, 50-31-106, 50-50-302
Administration of provisions, 50-50-216
Alcoholic beverage provisions, 16-3-305, 16-3-306, 16-4-105, 16-4-210, 16-4-501
Appeals, 50-50-215
Beef patty mix, sale restrictions, 50-31-208
Blind or visually disabled persons, rights concerning, See **BLIND OR VISUALLY DISABLED PERSONS**
Card game tables, live — permits, 23-5-306
Child labor prohibited, exemptions, 41-2-106, 41-2-107
"Commercial establishment" defined, 50-50-102
Construction and fixtures, 50-50-103
Cooperation with other governmental agencies, 50-50-104
Counties
  inspection fees charged when, 50-50-205
  investigation costs and expenses — recovery when, 50-50-110
Coverage of food, 50-50-103
Dairy products, provisions regarding, 50-50-102, 81-22-101, 81-22-208, 81-23-101
Definitions, 50-31-103, 50-50-102
Discriminatory practices, See **DISCRIMINATION, Public accommodations**
Diseased persons not to handle food, 50-50-105
Employees
  hours of employment, 39-4-111
  seats for, 39-2-201
  tips and service charges, tax exemptions, 15-30-111, 15-30-201
  wage protection, See **WAGES AND SALARIES, Restaurants and bars**
Enforcement of provisions, 50-50-109, 50-50-110, 50-50-305
Energy emergencies, effect, 90-4-304, 90-4-307
Equipment and utensils, 50-50-103
Fines for violations, 50-50-108
Fire protection and safety regulations, 50-61-103, See **FIRES AND FIRE PROTECTION**, generally
Food, Drug, and Cosmetic Act — applicability, 50-31-102, See also **FOOD AND FOOD PRODUCTS**, generally
Food samples, analysis, 50-31-106, 50-50-303, 50-50-304
"Food warehouse" defined, 50-50-102
Frozen food lockers
  declaration or tagging requirements, 50-50-401
  definitions, 50-50-102
  game law violations, liability, 50-50-402
  liability, 50-50-402, 50-50-403
  lien of lockerman, 71-3-1505
  loss of food, 50-50-403
Gambling permits, 23-5-306
Game animals or birds
  frozen food lockers, requirements, 50-50-401, 50-50-402
  possession and sale for commercial purposes prohibited, 87-4-701 — 87-4-705
Grizzly bears or parts, sale for commercial purposes prohibited, 87-4-702
Hamburger, sale restrictions, 50-31-208, See also **MEAT AND MEAT PRODUCTS**
Hazardous chemical provisions, nonapplicability, 50-78-103
Hazardous or deleterious substance contained in refuse, liability for release, 75-10-715
Hearings, 50-50-211, 50-50-215
Hours of work for employees, 39-4-111
Housekeeping, 50-50-103

FOOD ESTABLISHMENTS (Continued)

Injunction, 50-50-106, 50-50-109
Inspections
  access to establishment, 50-31-106, 50-50-302
  food samples, analysis, 50-31-106, 50-50-303, 50-50-304
  frozen food lockers, declarations, 50-50-401
  funding, 50-50-305
  local fee charged when, 50-50-205
  report, 50-50-301, 50-50-304
  required, 50-50-301
  when, 50-31-106, 50-50-302
Investigations, 50-50-110, 50-50-301, 50-50-302
Licenses and licensing
  alteration, 50-50-213
  appeals, 50-50-215
  application, 50-50-203
  cancellation, 50-50-204, 50-50-207, 50-50-209 — 50-50-213
  denial, 50-50-204, 50-50-211, 50-50-214, 50-50-215
  destruction, 50-50-213
  discrimination in issuance prohibited, 49-3-204
  exemptions, 50-50-202
  expiration, 50-50-207
  fees, 50-50-205
  hearings, 50-50-211, 50-50-215
  issuance, 50-50-201, 50-50-214
  list of licensees to department, 50-50-208
  multiple-type establishments, 50-50-201, 50-50-212, 50-50-213
  nontransferable, 50-50-206
  publicly owned establishment, 50-50-202
  renewal, 50-50-201
  required, 50-50-201
  return of license for alteration or destruction, 50-50-213
  right to license, 49-3-204, 50-50-204
  validation, 50-2-118, 50-50-201, 50-50-214, 50-50-215
  vending machines, 50-50-201
Lockers, See **Frozen food lockers**
Milk retailers, as, 81-23-101
Minors' employment prohibited, exemptions, 41-2-106, 41-2-107
Motorist information signs, Title 60, chapter 5, part 5, See **HIGHWAYS**
Multiple-type establishments, 50-50-201, 50-50-212, 50-50-213
Nonprofit organizations
  defined, 50-50-102
  licensing exemption and registration required, 50-50-202
Operation, 50-50-103
Personnel, 50-50-103
Private institutions, clubs, of places of accommodation — discrimination prohibited when, 49-2-101
Publicly owned establishments, 50-50-202
Purpose of provisions, 50-50-101
Railroads, maintained by, 69-14-559
Reports of inspections, 50-50-301
Resort tax, 7-6-4461 — 7-6-4469, See also **CITY FINANCE**
Restaurant, Bar, and Tavern Wage Protection Act, Title 39, chapter 3, part 6, See **WAGES AND SALARIES, Restaurants and bars**
Rules generally, adoption, 50-50-103, 50-50-202, 50-50-301, 50-50-303, 50-50-305

FOOD ESTABLISHMENTS (Continued)

Sanitarians
  access to establishment, 50-50-302
  duties, 50-50-301, 50-50-302, 50-50-305
  enforcement of provisions, 37-40-101, 50-50-305
  injunction, action brought by, 50-50-106
  inspections or investigations by, 50-50-301, 50-50-302
  licenses, validation by, 50-50-201
  nonprofit organizations, registration, 50-50-202
  performance standards, 50-50-305
  report of violations, 50-50-304
Sanitary conditions, supervision and regulation, 50-50-103, 81-9-202, 81-21-103
Schools, services, See **SCHOOLS, Food services**
Smoking in, 50-40-103 — 50-40-105, See also **PUBLIC ACCOMMODATIONS, Smoking areas**
Tax classification for furnishings, fixtures, and equipment, 15-6-138
Tips and service charges, tax exemptions, 15-30-111, 15-30-201
University system, 20-25-302, 20-25-402
Vending machines, 50-31-103, 50-50-102, 50-50-201
Violations
  cancellation of license, 50-50-209, 50-50-210
  charges of, 50-50-211
  civil penalties, 50-50-109
  correction plan, effect, 50-50-210
  injunction, 50-50-106, 50-50-109
  investigation costs and expenses, 50-50-110
  local inspection fee charged when, 50-50-205
  penalties, 50-50-108, 50-50-109
  prosecution, 50-50-107, 50-50-210
Wage Protection Act — Restaurant, Bar and Tavern, Title 39, chapter 3, part 6, See **WAGES AND SALARIES, Restaurants and bars**
Wage protection, See **WAGES AND SALARIES, Restaurants and bars**
Work camps or youth camps, See generally **CAMPING AND CAMPGROUNDS**

FOOTPATH AND BICYCLE TRAIL ACT OF 1975, Title 60, chapter 3, part 3
  See **BICYCLES, Footpaths and bicycle trails**

FORCIBLE ENTRY AND DETAINER AND UNLAWFUL DETAINER
  See also **PROPERTY, REAL, Actions; Recovery of possession**
Answer, 70-27-115, 70-27-116
Appeals, 70-27-211, 70-27-212
Appearance of defendant, 70-27-115, 70-27-117, 70-27-202
Applicability of laws, 70-27-101, 70-27-109, 70-27-112
Bar to proceedings, quiet possession, 70-27-203
Collusion, holdover of property by, 70-27-207
Complaint, 70-27-113 — 70-27-116, 70-27-204
Contempt when, 3-1-504
Continuance, 70-27-202, 70-27-204
Costs, 70-27-205
Damages
  assessment, 70-27-205
  punitive damages, 70-27-205, 70-27-206, 70-27-209
  treble rent, 70-27-207 — 70-27-209
Definitions, 70-27-102, 70-27-103, 70-27-108
Dismissal, motion for, 70-27-115
Estates at will, termination, See **PROPERTY, REAL, Estates at will**
Forcible detainer, 70-27-101, 70-27-103, 70-27-203

FORCIBLE ENTRY AND DETAINER AND UNLAWFUL DETAINER (Continued)

Forcible entry, 70-27-101, 70-27-102, 70-27-203
Hardship, relief from forfeiture of lease, 70-27-210
Holdover, damages, 70-27-207 — 70-27-209
Joinder of defendants, 70-27-111
Judgment
  contents, 27-1-431, 70-27-205
  default, 70-27-117
  execution, 27-1-431, 70-27-205
  extent, 70-27-205
  forfeiture of lease, petition for relief served with, 70-27-210
  parties who are bound, 70-27-111
Jurisdiction of courts
  district court, 3-6-103, 3-10-302, 70-27-101
  justice's court, 3-10-302, 70-27-101
  municipal court, 3-6-103
Jury trial, 70-27-201
Justices' courts, proceedings in
  continuance, 70-27-202
  evidence, 25-31-101, 25-31-102
  jurisdiction, 3-10-302, 70-27-101
  trial, 70-27-202
  venue, 25-31-205
New trial, 70-27-212
Notice
  forfeiture of lease, petition for hardship relief, 70-27-210
  holdover after notice, 70-27-207, 70-27-208
  tenancies at will, termination, 70-27-104
  unlawful detainer, required, 70-27-108, 70-27-110, 70-27-111
Parties, 70-27-111, 70-27-112
Possession, summary proceedings for, 70-16-109, 70-27-109
Quiet possession, 70-27-203
Reentry
  action for, as, 70-16-401
  contempt, as, 3-1-504
Rent
  holdover after notice, 70-27-207 — 70-27-209
  nonpayment and continued possession as unlawful detainer, 70-27-108
    complaint, statement in, 70-27-113
    judgment, 70-27-205
Restitution, judgment for, 70-27-205
Rules of procedure, 70-27-109
Service of process, 70-27-110, 70-27-114
State lands, venue in actions regarding, 77-1-111
Summons, 70-27-113 — 70-27-115
Tenancy at will, See **PROPERTY, REAL, Estates at will**
Trial, 70-27-201 — 70-27-205
Unlawful detainer, 70-27-108
  complaint to state amount of rent, 70-27-113
  judgment, 70-27-205
  notice, 70-27-108, 70-27-110, 70-27-111
Venue, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A
Verdict, 70-27-205

FOREIGN CORPORATIONS
  See **CORPORATIONS; NONPROFIT CORPORATIONS**

FOREIGN JUDGMENTS ACT, UNIFORM ENFORCEMENT OF, 25-9-501 — 25-9-508
  See **JUDGMENTS AND DECREES, Foreign**

FOREIGN LAND SALES PRACTICES ACT, Title 76, chapter 4, part 12
  See **SUBDIVISIONS, Out-of-state subdivisions, in-state sales**

FOREIGN LAWS
Accountants certified or licensed under, Title 37, chapter 50, part 3, See **ACCOUNTANTS, Foreign accountants**
Adoption, foreign decree, 40-8-128
Affidavits under, 26-1-1004 — 26-1-1006
Agricultural marketing associations, foreign-domestic mergers, 35-17-501
Agricultural seeds, certification, 80-5-120
Airports, jurisdiction and reciprocity, 67-11-401
Boiler operator engineers, reciprocity, 50-74-305
Books containing laws, presumption of correctness, 26-1-603
Building and loan associations, reciprocity, 32-2-105
Choice of law, See **CONFLICT OF LAWS**
Conflict of laws, See **CONFLICT OF LAWS**
Contracts, mistake of, 28-2-411
Corporations, foreign-domestic mergers or share exchanges, 35-1-819
Depositions taken under, 26-1-1004; Title 25, chapter 20, M.R.Civ.P., Rule 28(b)
Inheritance tax laws, reciprocity, 72-16-312, 72-16-801
Insurance risk retention groups, 33-11-102
Judgment, pleading of, Title 25, chapter 20, M.R.Civ.P., Rule 9(e)
Judicial determination, Title 25, chapter 20, M.R.Civ.P., Rule 44.1
Judicial notice, See **EVIDENCE**
Judicial record, effect, 26-3-203, 26-3-204
Marriage, validity, 40-1-104
Notarial acts, 1-5-608
Official documents or records, authentication, Title 25, chapter 20, M.R.Civ.P., Rules 44(a), 44(b)
Parental rights, execution of relinquishment, 40-6-135
Pleading of, Title 25, chapter 20, M.R.Civ.P., Rules 9(d), 44.1
Presumption of correctness, 26-1-603
Prisoners, exchange or transfer under treaty agreements, 53-1-106
Reciprocity with laws of other states
  acupuncturists, licensing, 37-13-305
  airports, 67-11-401
  architects, licensing, 37-65-305
  auctioneers, residency waiver, 30-11-509
  barbers, licensing, 37-30-309
  boats, 7-16-2121, 23-2-511, 23-2-512, 23-2-514
  boiler operator engineers, licensing, 50-74-305
  building and loan associations, 32-2-105
  children
    custody, Title 40, chapter 7, See **CHILD CUSTODY, Uniform Child Custody Jurisdiction Act**
    delinquent, Title 41, chapter 6, See **MINORS, Interstate Compact on Juveniles**
    placement, Title 41, chapter 4, part 1, See **MINORS, Interstate Compact on the Placement of Children**
    support enforcement, Title 40, chapter 5, part 1, See **CHILD SUPPORT, Enforcement**
  chiropractors, licensing, 37-11-307
  close pursuit, authority of arresting officer, 46-6-411

FOREIGN LAWS (Continued)
Reciprocity with laws of other states (Continued)

- concealed weapons, permits to carry, 45-8-321
- construction blasters, licensing, 37-72-305
- cosmetologists, licensing, 37-31-306
- dentists, licensing, 37-4-306
- denturists, licensing, 37-29-303
- electricians, licensing, 37-68-309
- electrologists, licensing, 37-32-303
- engineers, professional — licensing, 37-67-312
- fishing, privileges, 87-2-102, 87-2-1001 — 87-2-1004
- foreign trust company — appointment as trustee, guardian, or conservator, 32-1-1002
- fur dealers, license fee, 87-4-304
- hearing aid dispensers, licensing, 37-16-406
- insurance adjusters, 33-17-301
- insurance producers, nonresident — when, 33-17-211, 33-17-401
- juveniles, Title 41, chapter 6, See **MINORS, Interstate Compact on Juveniles**
- landscape architects, licensing, 37-66-306
- land surveyors, registration, 37-67-313
- living wills, 50-9-111
- midwives, direct-entry — licensing, 37-27-216
- morticians, licensing, 37-19-305
- motor carrier registration, 69-12-103
- naturopathic physicians, licensing, 37-26-201, 37-26-404
- nurses, licensing, 37-8-407, 37-8-417
- nursing home administrators, licensing, 37-9-303
- nutritionists, licensing, 37-25-306
- occupational therapists, licensing, 37-24-305
- optometrists, licensing, 37-10-303
- osteopaths, licensing, 37-5-303
- pharmacists, licensing, 37-7-302
- physical therapists, licensing, 37-11-309, 37-11-310
- physicians, temporary certificate to practice, 37-3-307
- plumbers, licensing, 37-69-309
- podiatrists, 37-6-302
- polygraph examiners, licensing, 37-62-202, 37-62-203
- professional counselors, licensing, 37-23-204
- psychologists, licensing, 37-17-304
- public contracts, bid preference, 18-1-102
- radiologic technologists, licensing, 37-14-304
- real estate appraisers, licensing or certification, 37-54-417
- real estate brokers and salesmen, licensing, 37-51-306
- respiratory care practitioners, licensing, 37-28-202, 37-28-206
- sanitarians, licensing, 37-40-303
- savings and loan associations, 32-2-105
- social workers, licensing, 37-22-301
- speech-language pathologists and audiologists, licensing, 37-15-305
- taxation
  - income tax, 15-30-306
  - inheritance tax, 72-16-312, 72-16-316, 72-16-801
- transboundary pollution reciprocal access act, uniform, Title 75, chapter 16, part 1, See **POLLUTION**
- unemployment insurance, collection of taxes and special assessments, 39-51-1306
- veterinarians
  - consultations by, 37-18-104
  - licensing, 37-18-303, 37-18-304
- wage claims, 39-3-301 — 39-3-306

FOREIGN LAWS (Continued)
Reciprocity with laws of other states (Continued)

- water treatment plant operators, certification, 37-42-305
- water well contractors, drillers, and monitoring well constructors — licensing, 37-43-308
- workers' compensation benefits, 39-71-402

Records, official — authentication, Title 25, chapter 20, M.R.Civ.P., Rules 44(a), 44(b)
Savings and loan associations, reciprocity, 32-2-105
Subpoena of witness under, 26-2-102
Transboundary Pollution Reciprocal Access Act, Uniform, Title 75, chapter 16, part 1, See **POLLUTION**
Unclaimed property subject to, 70-9-122
Unemployment insurance
- definition of employment, effect on, 39-51-203
- taxes and special assessments, reciprocal collection, 39-51-1306

Workers' compensation, reciprocity, 39-71-402, 39-71-426 — 39-71-428

FOREIGN-MONEY CLAIMS ACT, Title 25, chapter 9, part 7
See **JUDGMENTS AND DECREES**

FOREIGN MONEY-JUDGMENTS RECOGNITION ACT, Title 25, chapter 9, part 6
See **JUDGMENTS AND DECREES**

FORENSIC SCIENCE
Autopsies, 46-4-103, 50-21-103, 50-21-104
- anatomical gifts, applicability of laws, 72-17-207, 72-17-215, 72-17-301
- attorney general, ordered by, 46-4-103
- county attorney, ordered by, 46-4-103
- county coroner, duties, 39-72-606, 46-4-103, 46-4-110, 46-4-123, 50-21-103
- crime control, division of — ordered by, 53-9-123
- criminal investigation, 46-4-103, 46-4-104, 50-21-103
- expenses, 39-72-608, 46-4-103, 53-9-123
- federal officers, requests by, 44-3-401, 46-4-104
- infectious waste management, Title 75, chapter 10, part 10
- insurance claims, required when, 33-22-213, 33-22-602
- labor and industry, department of — ordered by, 39-72-606
- livestock, 81-2-201, 81-9-220, 81-9-226, 81-9-230
- medical examiner, duties, 39-72-606, 44-3-211, 44-3-214, 44-3-401, 46-4-103, 46-4-123
- mortuary or mortician, autopsy conducted at funeral home and general liability, 46-4-103, 46-4-104, 50-21-105
- occupational disease, death from, 39-72-606, 39-72-608
- physician, performance by, 39-72-606, 46-4-104, 50-21-103, 50-21-104
- records, 44-3-214
- reports, 46-4-123, 50-21-104, 53-9-123
- right to conduct or perform, 46-4-103, 50-21-103
- unauthorized autopsies, penalty, 50-21-106

Burial sites or materials and human skeletal remains, 22-3-802, 22-3-805, 22-3-806
Cause of death
- investigation, examination, and analysis, 22-3-802, 22-3-805, 22-3-806, 44-3-102
- report, 44-3-213, 50-21-104

Citation of Montana Forensic Science System Act, 44-3-101
Coroner, See **Medical examiner, state; COUNTY CORONER**
Corpses, See also **DEATH**
- autopsy, See **Autopsies**
- cause of death, report, 44-3-213
- criminal penalty for violations, 44-3-404
- dental examination for identification, 44-2-402

FORENSIC SCIENCE (Continued)
Corpses (Continued)

- inquest, See **DEATH**
- investigation of death, 22-3-802, 22-3-805, 22-3-806, 44-3-401, 44-3-404, 46-4-101, 46-4-103, 46-4-104
- property with or upon person of deceased, disposition, 7-4-2914, 7-4-2917
- removal, authorization, 50-15-405

Dental records, use, 44-2-401, 44-2-402
Division of, 44-3-104, 46-4-123, 61-8-404
Facilities, 44-3-102
Funding, 44-3-105, 44-3-302
Human skeletal remains and burial sites or material, 22-3-802, 22-3-805, 22-3-806
Inquests, See **DEATH**
Investigations, 22-3-802, 22-3-805, 22-3-806, 44-3-102, 44-3-401, 44-3-404, 46-4-101, 46-4-103, 46-4-104
Laboratory of criminalistics, 44-3-214, 44-3-301 — 44-3-303
Medical examiner, state, See also **COUNTY CORONER; PUBLIC OFFICERS OR EMPLOYEES**

- appointment and qualifications, 44-3-201
- associate medical examiners, 44-3-203, 44-3-204, 44-3-211, 46-4-103
- autopsies, 39-72-606, 44-3-211, 44-3-214, 44-3-401, 46-4-103, 46-4-123
- burial sites or materials, forensic examinations — determination of need for, 22-3-802
- cause of death, report to county attorney, 44-3-213, 50-15-405
- child abuse and neglect, duties, 41-3-201, 41-3-203 — 41-3-207
- corpses, duties
  - cause of death, report, 44-3-213, 50-15-405, 61-7-112
  - death certificate, 50-15-403, 50-15-404
  - dental examination, identification by, 44-2-402
  - jurisdiction when, 46-4-101
  - order for removal or disturbance, 44-3-404
  - property with or upon person of deceased, 7-4-2917
- county coroner, inquiry — report, 46-4-123
- death certificates, certification, 50-15-403, 50-15-404
- dental records or examinations, missing persons or unidentified bodies, 44-2-401, 44-2-402
- developmentally disabled persons — report of abuse, neglect, or exploitation required, 52-3-811
- duties generally, 44-3-211
- elderly persons — report of abuse, neglect, or exploitation required, 52-3-811
- fetal death, 50-15-404, 50-15-405
- human skeletal remains, forensic examination — determination of need for, 22-3-802
- laboratory of criminalistics, records of investigations, 44-3-214
- missing person investigations, 44-2-401
- motor vehicle accident reports, 61-7-111, 61-7-112
- records, 44-3-214
- reports, 44-3-213, 46-4-123
- suicide notes, disposition, 7-4-2917

Personnel, 44-3-102, 44-3-106
Purpose of provisions, 44-3-102
Reports, 44-3-102
Research, 44-3-211

FOREST LANDS TAX ACT, 15-44-101 — 15-44-105
See **TAXATION, PROPERTY**

FORESTS AND FORESTRY
Advertising, outdoor — provisions concerning, 75-15-103, 75-15-113
Agricultural land, inclusion in forest lands when, 76-13-102

FORESTS AND FORESTRY (Continued)

Agricultural marketing associations, 35-17-103, See **AGRICULTURAL MARKETING ASSOCIATIONS**
Appraisal of timber or timberland, 15-7-103, 77-1-113, 77-2-211, 77-5-103, 77-5-201, 77-5-204, See also **TAXATION, PROPERTY, Forest lands; Timber**
Arbor Day, official day of observance, 1-1-225
Blowdown, removal, 77-5-201, 77-5-212, See also **Sale of timber**
Boundaries of property, ownership of trees on, 70-16-204
Brush, disposal requirements, 77-5-103
Burning
  broadcast, prohibited when, 77-5-303
  brush or grass fires, 77-5-103
  campfires, 50-63-102, 50-63-103, 76-13-121, 76-13-123
  cigarettes or lighted material, throwing or placing prohibited, 50-63-102, 50-63-103, 76-13-124
  fire hazard reduction or management, 76-13-401, 76-13-407, 76-13-408, See also **Fire hazard reduction or management**
  permits
    noncompliance unlawful, 7-33-2205, 7-33-2206, 76-13-122
    required when, 7-33-2205, 7-33-2206, 76-13-121
Child labor prohibited, 41-2-106, 41-2-107
Christmas trees, tree farms or harvesting not forest practices, 76-13-102, 77-5-302
Citation of community and urban forestry act, 77-5-401
Cities and towns
  community and urban forestry program, 77-5-401 — 77-5-404
  gift or devise, authority for acceptance, 7-8-103, 7-8-104
  lumber, inspection and measuring, 7-15-4123
  park commissioners, board of — employment of foresters, 7-16-4224
  streets and public grounds, prevention of obstructions on, 7-14-4104
  wood — inspection, weighing, and measuring, 7-21-4203
Classification
  forest lands, 76-13-102, 76-13-103, 76-13-107, 76-13-201, 76-13-207
  state forests, lands for, 77-5-101
  state lands, 77-1-113, 77-1-401
Clearcutting prohibited when, 77-5-303
Commercial property, timberland and forest land not, 15-1-101, See **TAXATION, PROPERTY, Forest lands; Timber**
Commercial timber harvest, small — permits, 7-8-2609, 77-5-212
Community and urban forestry program, 77-5-402
  advisory committee, appointment, 77-5-403
  citation of community and urban forestry act, 77-5-401
  gifts, grants, and donations, 77-5-404
  purpose, 77-5-401
  rulemaking authority, 77-5-403
Coniferous trees and boughs, unlawful transportation, 76-13-601
Conservancy districts, 85-9-102, See **WATER CONSERVANCY DISTRICTS**
Conservation, 76-11-102, 76-13-101, 76-13-102, 76-13-104
  classification of land for, 76-13-107
  districts, 76-15-101, 76-15-706, See **CONSERVATION DISTRICTS**
  easements, tree-cutting provisions, 77-2-319
  experiment station, 17-7-102, 20-25-241 — 20-25-245, See also **UNIVERSITY OF MONTANA, Forest and Conservation Experiment Station**
  funds, expenditure, 76-13-111
Conservator's power, 72-5-427
Converting factors, timber, 77-5-206
Cooperative extension service, forestry services, 76-13-415

FORESTS AND FORESTRY (Continued)

"Cord" defined, 30-12-101
Cordwood, liens for labor, Title 71, chapter 3, part 6, See **LIENS, Loggers' liens**
Corporation license tax, depletion and depreciation allowance, 15-31-114
Counties
  community and urban forestry program, 77-5-401 — 77-5-404
  fire protection, 7-33-2201, See **FIRES AND FIRE PROTECTION, Rural fire protection**
  fire seasons, establishment, 7-33-2205
  national forests, land for, 2-1-210, 7-8-2401
  new, creation — limitations, 7-2-2202
  park commissioners, board of — employment of foresters, 7-16-2325
  protection by, 7-8-2601, 7-33-2201, 76-13-106
  state fire suppression costs, reimbursement, 7-33-2210
  tax-deed lands, exchange, 7-8-2401, 7-8-2402, 7-8-2602, 7-8-2603
  zoning, effect, 76-2-209
County forests, Title 7, chapter 8, part 26
  construction of provisions, 7-8-2611
  creation, 7-8-2602, 7-8-2603
  permits for removal of timber, 7-8-2608, 7-8-2609, See also **Permits**
  protection, 7-8-2601, 76-13-106
  sale of timber or crops, 7-8-2604 — 7-8-2610, See **Sale of timber**
  tax-deed lands, exchange for, 7-8-2602, 7-8-2603
Crops, sale, 7-8-2604 — 7-8-2610, 77-5-201 — 77-5-205
Cruisers, supervision, 77-5-206
Cruising, surveying, or felling timber — overtime compensation exclusions for workers, 39-3-406
Deadfall, permits to remove, 7-8-2608, 77-5-211
Debris, See **Slash or debris**
Development, 76-13-104, 77-1-215
  capital companies, qualified investments, 90-8-104, See **CAPITAL COMPANIES**
  economic, 90-1-102, See **ECONOMIC DEVELOPMENT**
  roads, See **Roads within**
  state forests, 77-1-204, 77-1-215
  state lands, 77-1-605
  technology development projects, 90-3-501, See **SCIENCE AND TECHNOLOGY FINANCING**
  water conservancy districts, 85-9-102, See also **WATER CONSERVANCY DISTRICTS**
Disease and insect pest control, 76-13-302
  permit for removal of timber, 77-5-212
  policy concerning, 76-13-301
  sale of timber, 77-5-201, See also **Sale of timber**
  zone of infestation
    creation, 76-13-303
    suppression and eradication of infestation within, 76-13-304
    termination, 76-13-305
Easements
  conservation, tree-cutting provisions, 77-2-319
  owner of forest land, exception, 76-13-102, 76-13-302
  wood, for taking, 70-17-101, 70-17-102, See **PROPERTY, REAL, Easements**
Economic development, 90-1-102, See **ECONOMIC DEVELOPMENT**
Emergencies
  forest practices, 76-13-135
  permit for removal of timber, 77-5-212
  sale of timber, 77-5-201

FORESTS AND FORESTRY (Continued)

- **Eminent domain**
  - farm operation, defined as, 70-31-102, See **EMINENT DOMAIN, Federally assisted agency acquisitions**
  - logging roads or railways, for, 70-30-102, 70-30-109
  - railroads, acquisition of timber by, 69-14-552
  - rights in land, subject to, 70-30-104
- **Enforcement of provisions**, 77-5-103, 77-5-305
- **Examination of timberland**, 77-5-103
- **Exchange**
  - counties, tax-deed lands, 7-8-2401, 7-8-2402, 7-8-2602, 7-8-2603
  - state lands, timbered land, 77-2-211
- **Execution, redemption** — waste of property, 25-13-823
- **Experiment Station**, 17-7-102, 20-25-241 — 20-25-245, See also **UNIVERSITY OF MONTANA, Forest and Conservation Experiment Station**
- **Explosives, use** — exemption and rule compliance under construction blasting provisions, 37-72-101
- **Federal**
  - disease and insect pest control, cooperation, 76-13-301, 76-13-304
  - fire hazard reduction or management
    - contracts, 76-13-405, 76-13-406
    - forestry extension service account, funds for, 76-13-415
  - fire protection
    - cooperation, 76-13-202
    - funds, cooperative — allocation, 76-13-111
  - forest lands, supervisors and rangers — appointment as firewardens, 77-5-104, See also **Firewardens; National forests**
  - forest laws, violations, 77-5-105
  - forest reserve money, 17-3-211 — 17-3-214, 20-9-331, 20-9-333, 20-10-146
  - signs erected or posted by, destruction unlawful, 76-13-113
  - state forests, land for, 77-1-214
  - streamside management zones, forest practices in — inspection, 77-5-304
- **Fines for violations**, 50-63-102, 76-13-111, 76-13-112, 76-13-114, 76-13-412, 76-13-506, 76-13-601, 77-5-105, 77-5-106, 77-5-306
- **Fire**, See **Forest fire**
- **Firearms**
  - fire caused by use, 50-63-102
  - silencers, hunting with prohibited, 87-3-123
- **Firefighters, state**, 77-5-103
- **Fire hazard reduction or management**, Title 76, chapter 13, part 4
  - administration of provisions, 76-13-409, 76-13-414
  - agreements, 76-13-408 — 76-13-410
    - bond requirements, 76-13-401, 76-13-408, 76-13-409, 76-13-413
    - certification of clearance, 76-13-401
    - compliance, determination, 76-13-411
    - contractors, 76-13-401, 76-13-411
    - fees, 76-13-409, 76-13-413, 76-13-414
    - forest practices, notice prior to conducting — provided with, 76-13-104, 76-13-131
    - liability, 76-13-406, 76-13-411
    - master agreement, 76-13-401, 76-13-408, 76-13-414, 76-13-415
    - revenue, disposition, 76-13-408, 76-13-414, 76-13-415
  - assessments, 76-13-408, 76-13-414
  - audits, 76-13-414
  - basis for, 76-13-402
  - bond requirements, 76-13-401, 76-13-408, 76-13-409, 76-13-413

FORESTS AND FORESTRY (Continued)
Fire hazard reduction or management, Title... (Continued)

burning, 7-33-2205, 7-33-2206, 76-13-407, 76-13-408, 77-5-204, See also **Burning**
certification of clearance, issuance, 76-13-401, 76-13-411
completion of work, 76-13-408
compliance with provisions
  determination, 76-13-411
  failure to comply, 76-13-410
  purchaser of forest products, 76-13-409, 76-13-413
contractors, 76-13-401, 76-13-414
  bond, money withheld by purchaser, 76-13-413
  certificate of compliance, 76-13-411
  costs and expenses of work, 76-13-410
contracts
  forest fire protection agencies, 76-13-405, 76-13-406
  purchaser of forest products, 76-13-401, 76-13-409
  reduction agreements, 76-13-401
costs and expenses, 76-13-410
definitions, 76-13-401
enforcement of provisions, 76-13-409, 76-13-414
failure to reduce or manage, 76-13-410
fees, 76-13-409, 76-13-413, 76-13-414
"forest land" defined, 76-13-102
forestry extension service account, 76-13-408, 76-13-414, 76-13-415
funds, 76-13-111, 76-13-414
injunction, 76-13-410, 76-13-413
inspections, 76-13-133, 76-13-403, 76-13-409, 76-13-414
liability, 76-13-406, 76-13-411
lien when, 76-13-410, 76-13-413
mandate, writ of, 76-13-410
noncompliance with provisions, 76-13-410, 76-13-413
penalties, 76-13-410, 76-13-413
records and reports, 76-13-409, 76-13-414
right-of-way clearing operations, 76-13-401, 76-13-403, 76-13-407, 76-13-410
rules, 76-13-401, 76-13-403, 76-13-406, 76-13-408, 76-13-411
sawdust piles, restrictions, 76-13-126
supervision, 76-13-403
violations, 76-13-412
Fire protection and suppression, See **Forest fire protection and suppression**
Fire season, See **Forest fire season**
Firewardens
  appointment, 77-5-104, 87-1-504
  fish and game wardens as, when, 77-5-104, 87-1-504
  misconduct, 77-5-106
  park rangers, as, 77-5-104
  powers, 77-5-105
  supervision, 77-5-103
Firewood
  harvesting not forest practices, 76-13-102
  streets and public grounds, prevention of obstructions on, 7-14-4104
Fireworks displays within, prohibited, 50-37-103
Fishing, areas closed to — when, 87-3-106
Flathead Valley Community College, forestry services, 76-13-415
Floodplains, streamside management zones — forest practices in, 77-5-301
Floodways, uses within, 76-5-401, See also **FLOODPLAINS AND FLOODWAYS, Uses within**

FORESTS AND FORESTRY (Continued)

Forest and Conservation Experiment Station, 17-7-102, 20-25-241 — 20-25-245, See also **UNIVERSITY OF MONTANA**
Forest development roads, 61-8-110 — 61-8-112, See also **Roads within**
Forest fire, 76-13-102
  brush or grass fires, 77-5-103
  campfires, 50-63-102, 50-63-103, 76-13-121, 76-13-123
  citizen's duty to fight, 77-5-105
  closure of area due to fire danger, 87-3-106
  fire hazard, 76-13-401, See **Fire hazard reduction or management**
  liability, 50-63-103, 76-13-507, 77-1-805
  lighted materials, throwing, 50-63-102, 50-63-103, 76-13-124
  mining operations, preventive measures, 82-4-434
  permit for removal of timber, 77-5-212
  reporting, 77-1-805, 77-5-104
  sale of timber, 77-5-201, See also **Sale of timber**
  setting or leaving fires, 50-63-102, 50-63-103, 76-13-121 — 76-13-123
Forest fire protection and suppression, 76-13-102
  agency, recognized — to provide, 76-13-102
  applicability of provisions, 76-13-103
  assessments, 76-13-201, 76-13-207
    disposition, 76-13-209
    lien, amount due — as, 76-13-211
    nature of, 76-13-208
    protest, payment under, 76-13-210
  burning
    noncompliance unlawful, 7-33-2205, 7-33-2206, 76-13-122
    permits required when, 7-33-2205, 7-33-2206, 76-13-121
  classification of land for, 76-13-107
  closure of areas due to fire danger, 87-3-106
  conservation easements, tree-cutting provisions, 77-2-319
  contracts, 76-13-202
  cooperative agreements, 76-11-102
  costs
    determination and collection, 76-13-201, 76-13-207
    liability of offender, 50-63-103
    natural areas, 76-12-121
    state, reimbursement by counties when, 7-33-2210
  counties, 7-33-2201 — 7-33-2211, 76-13-106, See **FIRES AND FIRE PROTECTION, Rural fire protection**
  detection of fire, 76-13-102, 76-13-111
  districts, 76-13-102
    assessments, 76-13-201
    boundaries, determination, 76-13-102, 76-13-205
    creation, annexation, and dissolution, 76-13-204
    officers as firewardens, 77-5-104, See **Firewardens**
  establishment and maintenance, 76-13-104
  extinguishment, 77-5-103, 77-5-104
  fines for violations, 76-13-111, 76-13-112, 76-13-114
  firefighters, state, 77-5-103
  fire hazard reduction or management, 76-13-402, 76-13-405, 76-13-406, See also **Fire hazard reduction or management**
  forest fire, See **Forest fire**; **Forest fire season**
  lighted materials, throwing unlawful, 50-63-102, 50-63-103, 76-13-124
  means of protection, how provided, 76-13-202
  mining operations, preventive measures, 82-4-434

FORESTS AND FORESTRY (Continued)
Forest fire protection and suppression (Continued)

natural areas, costs, 76-12-121
owners of forest lands, responsibilities, 76-13-108, 76-13-201
prevention of fire, 76-13-102, 76-13-106, 77-5-103, 77-5-204
rules for, 76-13-109, 76-13-201
rural protection, 7-33-2201 — 7-33-2211, See **FIRES AND FIRE PROTECTION, Rural fire protection**
sawdust piles, restrictions, 76-13-126
sawmills, portable — liability, 76-13-507
signs erected or posted, destruction unlawful, 76-13-113
spark arresters required, 76-13-125
standards, 76-13-201
violations, 76-13-111 — 76-13-113
Forest fire season, 76-13-102
burning during, 7-33-2205, 7-33-2206, 50-63-102, 50-63-103, 76-13-121, 76-13-122
county governing body, establishment, 7-33-2205
extension, 76-13-121, 76-13-203
sawmilling wastes, disposal or treatment prior to, 76-13-126
Forest lands, 76-13-102, 76-13-302
applicability of provisions, 76-13-103
assessments for protection, 76-13-111, 76-13-201
campfires, 50-63-102, 50-63-103, 76-13-121, 76-13-123
classification, 76-13-102, 76-13-103, 76-13-107, 76-13-201, 76-13-207
disease and insect pest control, 76-13-301 — 76-13-305
fire protection and suppression, See **Forest fire protection and suppression**; See also **FIRES AND FIRE PROTECTION, Rural fire protection**
open fires, written permit for, 7-33-2205, 7-33-2206, 76-13-121, 76-13-122
owners, See **Owners and operators of forest lands**
sawmills, portable — licenses, 76-13-501 — 76-13-507
spark arresters required, 76-13-125
tax act, 15-44-101 — 15-44-105
Forest practices, 76-13-102, 77-5-302, See also **Sale of timber**
best management practices, information, 76-13-101, 76-13-131
commercial timber harvest, small — permit for, 7-8-2609, 77-5-212
conservation districts, 76-13-131, 76-13-132
emergencies, 76-13-135
fire hazard reduction or management, 76-13-402
multiple, 76-13-134
notification provisions, 76-13-104, 76-13-131, 76-13-132, 76-13-134
onsite consultations
  purpose, 76-13-133
  required when, 76-13-104, 76-13-131, 76-13-132, 77-5-304
state land — lease, sale, or exchange, 77-1-204
streamside management zones, in, 77-5-301 — 77-5-307
timber management, 77-5-206
Forest products
agricultural marketing associations, 35-17-103, See **AGRICULTURAL MARKETING ASSOCIATIONS**
capital companies, qualified investments, 90-8-102, See **CAPITAL COMPANIES**
coniferous trees and boughs, transportation, 76-13-601
converting factors and units of measure, 77-5-206
counties, sale, 7-8-2604 — 7-8-2610
fire hazard created by, 76-13-401, 76-13-403, See **Fire hazard reduction or management**
floodways, uses within, 76-5-401, See also **FLOODPLAINS AND FLOODWAYS, Uses within**

FORESTS AND FORESTRY (Continued)
Forest products (Continued)
- industries for extraction or harvesting, new or expanding — taxation, 15-24-1401, 15-24-1402
- overtime compensation exclusions for workers, 39-3-406
- sale, 77-1-215, See also **Sale of timber**
- small business investment capital company, qualified investments, 90-8-102
- small business investment companies, investment in — tax incentives, Title 15, chapter 33, part 1
- timber management practices, 77-5-206
- transportation, roads for, 70-30-102
- value-added manufacturing, expanding industry taxable value decrease, 15-24-2401 — 15-24-2405

Forestry extension service account, 76-13-415
Forestry school, 20-25-205, 20-25-243, 20-25-244, See also **UNIVERSITY OF MONTANA**
Forest wardens, supervision, 77-5-206
Grass fires, 77-5-103
Grassland, inclusion in forest lands when, 76-13-102
Grazing land
- appraisals, 77-6-201, See also **STATE LANDS, Surface leases**
- grazeable woodland, 76-14-103, See **RANGELAND RESOURCES**

Harvesting of timber, See generally **Fire hazard reduction or management; Forest practices; Sale of timber**
Hunting
- aircraft or helicopters, use prohibited when, 87-3-126
- areas closed to, when, 87-3-106
- motor vehicles, use restrictions, 87-3-125
- silencers, hunting with — unlawful, 87-3-123

Inferior timber, permit to remove, 7-8-2608, 77-5-211
Inheritance tax, timber operations, 72-16-331, 72-16-347, See also **TAXATION, ESTATES**
Injury to timber, 70-16-107, 70-16-108, 76-13-302, 76-13-402
Insect pest control, 76-13-301 — 76-13-305, See also **Disease and insect pest control**
- permit for removal of timber, 77-5-212
- sale of timber, 77-5-201, See also **Sale of timber**

Insurers, investments by, 33-2-830
Internal combustion engines, spark arresters required, 76-13-125
Land-clearing fires, written permits for, 7-33-2205, 7-33-2206, 76-13-121, 76-13-122
Land Commissioners, Board of, See **LAND COMMISSIONERS, BOARD OF**
Land donations for forestry purposes, 77-1-214, See also **Forest lands**
Liens
- construction, real estate improvement contract — nonapplicability, 71-3-522
- cook in logging camp as lienholder, 71-3-601
- fire hazard reduction or management
  - costs and expenses, 76-13-410
  - purchaser of forest products, failure to submit withheld money, 76-13-413
- forest fire protection assessments, amount due — as, 76-13-211
- loggers' liens, Title 71, chapter 3, part 6, See **LIENS**

Lighted materials, throwing, 50-63-102, 50-63-103, 76-13-124
Location of timberland, 77-5-103
Loggers' liens, Title 71, chapter 3, part 6, See **LIENS**
Logging and logs
- binders on trucks, 61-9-414
- camps, 71-3-601, 75-6-112
- concealed weapons, exemption from criminal provisions, 45-8-317
- coniferous trees and boughs, transportation, 76-13-601
- construction blasting, nonapplicability of provisions, 37-72-101
- dinkey engines, 50-74-104, See **BOILERS AND STEAM ENGINES, Traction engines**

FORESTS AND FORESTRY (Continued)
Logging and logs (Continued)

- eminent domain, 70-30-102, 70-30-109
- "forest product" defined, 76-13-401, See also **Fire hazard reduction or management; Forest products**
- hoisting engine licenses, exclusions, 50-76-103
- liens, Title 71, chapter 3, part 6, See **LIENS, Loggers' liens**
- mining operations, reclamation, 82-4-231
- minors' employment prohibited, 41-2-106, 41-2-107
- overtime compensation exclusions for workers, 39-3-406
- railways, 70-30-102
- rivers and streams, recreational use — "class I waters" defined, 23-2-301
- roads, 70-30-102, 70-30-109, 75-6-112, 76-13-407
- slash, See **Fire hazard reduction or management; Slash or debris**
- trailers, registration fee, 61-3-321, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Registration**
- tree-spiking as criminal endangerment, 45-5-207
- trucks, 61-9-414, 61-10-104, 61-10-124

Management, 77-1-215
- counties, by, 7-8-2601
- practices, See **Forest practices**
- slash, 76-13-102
- state forests, 77-1-204, 77-1-215, 77-5-102, 77-5-103
- streamside management zones, 77-5-301 — 77-5-307
- timber, 20-25-242, 77-5-206

Marketing associations, 35-17-103, See **AGRICULTURAL MARKETING ASSOCIATIONS**
Measure
- lumber, 7-15-4123
- timber, units of measure, 77-5-206
- wood, 7-21-4203

Mineral reservation, owner of forest lands — exception, 76-13-102, 76-13-302
Mining operations, reclamation, 82-4-231, 82-4-403, 82-4-434
Minors' employment prohibited, 41-2-106, 41-2-107
Motor vehicle restrictions, 76-13-125, 87-3-125
National forests
- administration and protection, 61-8-110
- aircraft used for hunting purposes unlawful when, 87-3-126
- county land for, 2-1-210, 7-8-2401
- jurisdiction of state, 2-1-210, 61-8-111, 85-1-214
- livestock running at large, 81-4-210 — 81-4-212
  - land and mining claims, marking boundaries, 81-4-218 — 81-4-220
  - trespassing stock, right of action against, 81-4-220
- roads within, 61-8-110 — 61-8-112

Natural areas preservation, Title 76, chapter 12, part 1, See **LAND USE PLANNING**
Natural Resources and Conservation, Department of — jurisdiction over national forests, 85-1-214
Nonforest lands and improvements, protection, 76-13-105
Noxious weed management, 7-22-2101, 7-22-2109, See **WEEDS AND WEED CONTROL**
Nuisances, abatement — money from, 76-13-111
Nurseries, operation not forest practices, 76-13-102, 77-5-302
Off-highway vehicle use, inherent risks, 23-2-822
Open fires, written permits for, 7-33-2205, 7-33-2206, 76-13-121, 76-13-122
- state lands, recreational use restrictions, 77-1-804

Outdoor advertising provisions, 75-15-103, 75-15-113
Outfitters, qualifications, 37-47-305
Overtime compensation exclusions for workers, 39-3-406

FORESTS AND FORESTRY (Continued)

Ownership of trees on boundaries of property, 70-16-204
Owners and operators of forest lands, 76-13-102, 76-13-302, 77-5-302
  assessments for protection, 76-13-201, 76-13-207, 76-13-208, 76-13-210, 76-13-211
  coniferous trees and boughs, transportation, 76-13-601
  cutting of trees for personal use not forest practices, 76-13-102
  disease and insect pest control, 76-13-301 — 76-13-304
  forest fire protection and suppression, 76-13-108, 76-13-201
    assessments, 76-13-201, 76-13-207, 76-13-208, 76-13-210, 76-13-211
    compliance, what constitutes, 76-13-206
    cooperative agreements for, 76-11-102
    costs, 76-13-201
  forest practices, 76-13-101, 76-13-102, 77-5-302, 77-5-304, 77-5-305, 77-5-307, See **Forest practices**
  hearings, right to, 76-13-110
  negligence, 76-13-201
  principal and income determinations, 72-5-427, 72-34-404, 72-34-410, 72-34-411, See also **TRUSTS, Principal and income, determination**
  responsibilities, 76-13-108, 76-13-201, 77-5-305
  state, as, See **State lands**
  streamside management zones, forest practices in, 77-5-302, 77-5-304, 77-5-305, 77-5-307
Park Commissioners, Boards of — employment of foresters, 7-16-2325, 7-16-4224
Permits
  sawdust pile accumulation, 76-13-126
  setting specific fires, for, 7-33-2205, 7-33-2206, 76-13-121, 76-13-122
  timber removal
    advertisement, 7-8-2609, 77-5-212
    domestic use and fuel, 7-8-2608, 77-5-211
    farm and ranch repair and development, for, 77-5-213
    free, when, 7-8-2608, 77-5-211
    proceeds, disposition, 7-8-2610
Perpetuation, 7-8-2605, 76-11-102, 77-5-202
Planning and zoning district recommendations, effect, 76-2-109
Planning board provisions, effect, 76-1-113, 76-1-601
Portable sawmills, 76-13-501 — 76-13-507
Preservation of standing timber, rules, 77-5-204
Principal and income determinations, 72-5-427, 72-34-404, 72-34-410, 72-34-411, See also **TRUSTS, Principal and income, determination**
Production of timber
  county forests, 7-8-2602, 7-8-2603
  disease and insect pest control, 76-13-301 — 76-13-305
  state forests, 77-5-101, 77-5-102
  state lands, classification for, 77-1-401
Products, forest, See **Forest products**
Property, real
  corner records, accessory to corner, 70-22-103, See **PROPERTY, REAL, Corner records**
  timber as, 15-1-101, 15-7-303, See **TAXATION, PROPERTY, Timber**
Protection, 76-13-102, 76-13-104
  applicability of provisions, 76-13-103
  assessments, 76-13-108, 76-13-111, 76-13-208, 76-13-210, 76-13-211
  cooperation, state and county, 76-13-106
  counties, by, 7-8-2601, 7-33-2201, 76-13-106
  disease and insect pest control, 76-13-301 — 76-13-305, See also **Disease and insect pest control**
  districts, 76-13-108, 77-5-104
  fines for violations, 76-13-111, 76-13-112, 76-13-114

FORESTS AND FORESTRY (Continued)
Protection (Continued)

- fire, See **Forest fire protection and suppression**
- funds, expenditure, 76-13-106, 76-13-111
- national forests, 61-8-110
- nonforest lands and improvements, 76-13-105
- owners of forest lands, responsibilities, 76-13-108, See also **Owners and operators of forest lands**
- penalty for violations, 76-13-112
- purpose of provisions, 76-13-101
- rules for, 76-13-109
- sawmills, portable — licensing, 76-13-501 — 76-13-507
- signs erected or posted, destruction unlawful, 76-13-113
- streamside management zones, 77-5-301 — 77-5-307
- violations generally, 76-13-111 — 76-13-113

Public school fund, timber sale proceeds, 20-9-601
Purchase of timber
- railroads, 69-14-552
- state lands, restrictions, 77-1-113

Railroads
- fire hazard reduction along right-of-way, 69-14-721, 76-13-401, 76-13-403, 76-13-407, 76-13-410
- purchase of timber, 69-14-552
- rolling stock revenue bonds, use, 60-11-1202, 60-11-1211
- sale of timber, estimates and appraisals — requirements, 77-5-204
- spark arresters required, 76-13-125
- wood, cars transporting — passenger regulations, 69-14-205, 69-14-206

Range resources
- conservation and protection, 76-13-101, 76-13-102, 76-13-104, 76-13-111
- loans for improvement and development, Title 76, chapter 14

Reforestation, 76-13-102, 76-15-101, 76-15-706, 77-5-302, See also **Forest practices; CONSERVATION DISTRICTS**
Regeneration of timber stand, 76-13-102, 77-5-302, See also **Forest practices**
Right-of-way
- clearing operations, slash and debris as fire hazard, 69-14-721, 76-13-401, 76-13-403, 76-13-407, 76-13-410
- owner of forest lands, exception, 76-13-102, 76-13-302

Roads within
- accidents on, 61-8-111
- construction, 76-13-101, 76-13-102, 76-13-408, 77-5-303
- forest development roads, 61-8-110 — 61-8-112
- "forest practices" defined, 76-13-102, 77-5-302, See **Forest practices**
- hunting, use of motor vehicles — restrictions, 87-3-125
- logging roads, 70-30-102, 70-30-109, 75-6-112
- special service roads, 61-8-110, 61-8-112
- state law enforcement, jurisdiction, 61-8-111, 61-8-112
- streamside management zones, prohibited practices, 77-5-303
- traffic laws, applicability and enforcement, 61-8-111, 61-8-112
- vehicles, operation prohibited when, 77-5-303

Rodent control, 7-22-2222, 7-22-2512, See **PESTS AND PESTICIDES**
Sale of timber, 76-13-102, 77-5-302, See also **Forest practices**
- administration procedures, 77-5-206
- advertisement, 7-8-2604, 77-5-201
- agreements
  - bond requirements, 7-8-2606, 7-8-2607, 77-5-202, 77-5-203
  - breach, 7-8-2607, 77-5-203
  - execution and contents, 7-8-2605, 77-5-202

FORESTS AND FORESTRY (Continued)
Sale of timber (Continued)

- appraisals and estimates, 77-5-201, 77-5-204
- best management practices, 76-13-101
- bid requirements, 7-8-2604, 77-5-201, 77-5-202
- bond requirements, 7-8-2606, 7-8-2607, 77-5-202, 77-5-203
- contract for sale, 30-2-107, 30-9-105
- counties, by, 7-8-2402
  - agreements, 7-8-2605
    - bond requirements, 7-8-2606
    - breach, 7-8-2607
  - bid requirements, 7-8-2604
  - proceeds, distribution, 7-8-2402, 7-8-2610
- designation of trees to be cut, 77-5-206
- expenditures, 7-8-2610
- goods, severance from land, 30-2-107, 30-9-105
- management practices, 76-13-101, 77-5-206
- notice
  - county sale, 7-8-2604
  - department, 76-13-131, 76-13-134, 77-5-201
- onsite consultations, 76-13-104, 76-13-131, 76-13-132, 77-5-304
- operating plans for, 76-13-131
- "operator" defined, 76-13-102, 77-5-302
- principal and income determinations, 72-5-427, 72-34-404, 72-34-410, 72-34-411, See also **TRUSTS, Principal and income, determination**
- proceeds, distribution, 7-8-2610, 20-9-601
- restrictions, 77-1-113, 77-2-211, 77-2-303
- review, 76-13-131
- rules, 7-8-2604 — 7-8-2606, 77-5-201, 77-5-202, 77-5-204
- salvage timber, 76-13-302, 77-5-207
- school lands, on, 20-9-601
- security interest, See **Security interest**
- state institutions, from lands granted to — revenue disposition, 17-3-1003
- state lands, on, 77-1-113, 77-5-204, 77-5-205
- streamside management zones, 77-5-302, 77-5-304, 77-5-307
- tree scale measurement, 77-5-206

Salvage timber program, 77-5-207
Sawdust
- piles, restrictions, 76-13-126
- "other wastes" defined, 75-5-103, 75-6-102

Sawlogs
- liens for labor, Title 71, chapter 3, part 6, See **LIENS, Loggers' liens**
- sawdust piles, restrictions, 76-13-126

Sawmilling waste, treatment or disposal, 76-13-126
Sawmills, portable — licenses, Title 76, chapter 13, part 5
- application, written, 76-13-503, 76-13-504
- discrimination in issuance prohibited, 49-3-204
- issuance and term, 76-13-504
- liability for fire, effect on, 76-13-507
- required, 76-13-502
- revocation, 76-13-504, 76-13-505
- violations, 76-13-502, 76-13-505, 76-13-506

Scale measurement, 77-5-206
Scales, falsification, 77-1-112
Scaling, rules for, 7-8-2605, 77-5-202
School lands, sale of timber, 20-9-601

FORESTS AND FORESTRY (Continued)

School of forestry, 20-25-205, 20-25-243, 20-25-244, See also **UNIVERSITY OF MONTANA, Forestry school**
Science and technology development projects, 90-3-501, See **SCIENCE AND TECHNOLOGY FINANCING**
Securities transactions, exemption, 30-10-103
Security interest, See also **SECURED TRANSACTIONS**
  assignment, 30-9-405
  description, 30-9-203
  filing, 30-9-401 — 30-9-403
  financing statement, 30-9-402, 30-9-403
  "goods", defined as, 30-9-105
Selection of timberland, 77-1-113, 77-5-103
Service roads, 61-8-110, 61-8-112, See also **Roads within**
Shelterbelts, 20-25-242, 76-13-104
Signs, 76-13-113
Skiing, inherent risks, 23-2-736
Slash or debris, See also **Fire hazard reduction or management**
  disposal requirements, 7-8-2605, 77-5-202, 77-5-204
  fire hazard, 76-13-111, 76-13-401
  management, 76-13-102, 77-5-302, 77-5-303
  off-highway vehicle use, inherent risks, 23-2-822
  onsite inspections, 76-13-133
  slash-burning fires, written permits for, 7-33-2205, 7-33-2206, 76-13-121, 76-13-122
  solid waste management, nonapplicability, 75-10-203, 75-10-903, 80-8-110
Snowmobiling, inherent risks, 23-2-654
Soil
  conservation districts, 76-15-101, 76-15-706, See **CONSERVATION DISTRICTS**
  erosion, prevention, 76-11-202, 76-13-101
  resources, conservation and protection, 76-13-101, 76-13-102, 76-13-104, 76-13-111
  survey and mapping program, Title 76, chapter 11, part 2, See **SOIL SURVEYS**
Spark arresters required, 76-13-125
Special service roads, 61-8-110, 61-8-112, See also **Roads within**
Spiking of trees as criminal endangerment, 45-5-207
State firefighters, 77-5-103
State forest officers as ex officio fish and game wardens, 87-1-503
State forests
  designation, 77-5-101, 77-5-102
  development, 77-1-204, 77-1-215
  fireworks displays within, prohibited, 50-37-103
  land donations for, 77-1-214
  management, 77-1-204, 77-1-215, 77-5-103
  perpetuation, rules regarding, 77-5-202
State lands
  classification, 77-1-401
  development, 77-1-605
  equalization payments, acres involved, 77-1-501, 77-1-502
  exchange, 77-1-204, 77-2-211
  forest protection districts, assessments, 76-13-108
  grazing land appraisals, 77-6-201
  highways, state funds — basis for apportionment, 60-3-206
  lease, 77-1-113, 77-1-204, 77-2-211
  purchase or lease restrictions, 77-1-113
  sale, 77-1-113, 77-1-204, 77-2-211, 77-2-303
  scales, falsification, 77-1-112
  streamside management zones, forest practices in, 77-5-301 — 77-5-307

FORESTS AND FORESTRY (Continued)
State lands (Continued)

- trespass on, 77-1-116

Streamside management zones, forest practices in, Title 77, chapter 5, part 3
- alternative practices, 77-5-302, 77-5-304, 77-5-307
- civil penalty, 77-5-305, 77-5-306
- compliance with provisions, 77-5-304, 77-5-305
- definitions, 77-5-302, 77-5-307
- enforcement actions, 77-5-305
- findings and purpose of provisions, 77-5-301
- forest stewardship special revenue account, 77-5-306
- inspections and onsite consultation, 77-5-304
- rules, 77-5-302 — 77-5-305, 77-5-307
- standards, 77-5-303, 77-5-307
- timber sale, 77-5-302, 77-5-304, 77-5-307
- violations, 77-5-305

Taxation of timber and timberland, See **TAXATION, PROPERTY**
Technology development projects, 90-3-501, See **SCIENCE AND TECHNOLOGY FINANCING**
Throwing lighted materials, 50-63-102, 50-63-103, 76-13-124
Timber stand improvement
- fees, 77-5-204
- fire hazard, 76-13-401, See **Fire hazard reduction or management**
- streamside management zones, 77-5-302

Trees and boughs, coniferous — unlawful transportation, 76-13-601
Tree-spiking as criminal endangerment, 45-5-207
Trespass
- firewardens, 77-5-105
- taking timber or wood, for, 70-16-107, 70-16-108, 77-1-116

Unemployment insurance coverage for laborers, 39-51-205, See **UNEMPLOYMENT INSURANCE, Agricultural labor**
United States forest service
- fish and game wardens, ex officio — officers as, 87-1-503
- flathead basin commission member appointed by, 2-15-213
- gates of the mountains game preserve, boundaries, 87-5-406
- roads, special service, 61-8-110, 61-8-112
- snowmobile area operators, 23-2-652, See also **SNOWMOBILES**

University system, forestry services, 76-13-415
Vertebrate pest management, 7-22-2222, 7-22-2512, See **PESTS AND PESTICIDES**
Violations
- arrests for, 77-5-105
- burning permits, noncompliance, 7-33-2206, 76-13-122
- campfires, failure to extinguish, 50-63-102, 50-63-103, 76-13-123
- coniferous trees and boughs, unlawful transportation, 76-13-601
- fines and disposition, 50-63-102, 76-13-111, 76-13-112, 76-13-114, 76-13-412, 76-13-506, 76-13-601, 77-5-105, 77-5-106
- fire hazard reduction or management provisions, 76-13-412
- firewardens, 77-5-105, 77-5-106
- forest fire protection and suppression provisions, 76-13-112, 76-13-113
  - citizen's refusal to fight, 77-5-105
  - permits for igniting or setting, failure to have, 7-33-2206, 76-13-122
  - setting or leaving, 7-33-2206, 50-63-102, 50-63-103, 76-13-123
- forest practices in streamside management zones, 77-5-305
- liability of offender for damages and costs, 50-63-103
- lighted materials, throwing, 50-63-102, 50-63-103, 76-13-124
- penalty, 76-13-112
- prosecution, 76-13-114, 77-5-103

FORESTS AND FORESTRY (Continued)
Violations (Continued)

  reporting, 77-5-104
  rules of board or department, 76-13-112
  sawmills, portable, 76-13-502, 76-13-505, 76-13-506
  scales, falsification, 77-1-112
  signs erected or posted, destruction, 76-13-113
  streamside management zones, forest practices in, 77-5-305
  tree-spiking, 45-5-207
Wardens, forest — supervision, 77-5-206, See also **Firewardens**
Warning signs erected or posted, destruction unlawful, 76-13-113
Waste, damages, 70-16-107, 70-16-108
Water conservancy districts, 85-9-102, See also **WATER CONSERVANCY DISTRICTS**
Water resources, conservation and protection, 76-13-101, 76-13-102, 76-13-104, 76-13-111, 77-5-301 — 77-5-307
Watershed
  conservation, 76-13-101
  disease and insect pest control, 76-13-301
  fire protection, 76-11-102
  forest practices, 76-13-104, 76-13-131, 76-13-132, 76-13-134, 76-13-135, 77-5-304
  state forests, 77-5-101, 77-5-102
  streamside management zones, forest practices in, 77-5-304
  timber sales, 76-13-131, 76-13-132, 76-13-134, 76-13-135
  timber value concerning, 77-5-204
  water supply, public — logging camps or roads prohibited when, 75-6-112
Weed management, 7-22-2101, 7-22-2109, See **WEEDS AND WEED CONTROL**
Wildlife habitat, acquisition policy — additional land use, 87-1-241
Windbreaks, 20-25-242, 76-13-104, 76-13-111
Wood and wood products
  alcohol production, tax incentives, 15-70-522, See **TAXATION, GASOLINE AND VEHICLE FUELS**
  art, work of or fine art, 22-2-403, 22-2-501, See **ARTS AND CULTURE**
  city inspection, weighing, and measuring, 7-21-4203
  "cord" defined, 30-12-101
  drug paraphernalia, 45-10-101, See **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Paraphernalia**
  easements for taking, 70-17-101, 70-17-102, See **PROPERTY, REAL, Easements**
  execution, redemption — waste of property, 25-13-823
  facility siting exemptions, 75-20-202
  hazardous wastes, exclusion, 80-8-110
  mining operations, reclamation, 82-4-231
  paints, labeling — analysis of paint, 30-12-1001
  property, corner records — accessory to corner, 70-22-103, See **PROPERTY, REAL, Corner records**
  railroad cars transporting, passenger regulations, 69-14-205, 69-14-206
  skimobile, 23-2-702, See **TRAMWAYS**
  small business investment companies, tax incentives, 15-33-102
  smokeless powder and small arms primers, storage cabinets, 50-61-121
  solid waste, 75-10-103, 75-10-203, 75-10-903, 80-8-110, See **MEGALANDFILL SITING; SOLID WASTE MANAGEMENT**
  state lands, trespass for taking from, 77-1-116
  stoves or furnaces, energy-related tax incentives, Title 15, chapter 32
  street paving or repaving, 7-12-2101, 7-12-4101
  tires, pneumatic — restrictions, 61-9-406
  tree-spiking as criminal endangerment, 45-5-207
  trespass for taking, 70-16-107, 70-16-108, 77-1-116
  water pollution, "other wastes" defined, 75-5-103

FORESTS AND FORESTRY (Continued)
Wood and wood products (Continued)

  water supply, public — pollution, "other wastes" defined, 75-6-102
Woodlots, 20-25-242, 76-13-104, 76-13-111
Zone of infestation, 76-13-302 — 76-13-305, See also **Disease and insect pest control**
Zoning
  county, effect, 76-2-209
  planning and zoning district recommendations, effect, 76-2-109

FORGERY AND COUNTERFEITING
  See also **CRIMES**
Acupuncturists, forged statements concerning licenses, 37-13-311
Casualty insurance, See **INSURANCE, CASUALTY**, generally
Cigarette license stamp or insignia, 16-11-134, 16-11-146
Commerce, Department of — seal, 30-12-503
Cosmetics labels, 50-31-501
Credit cards, 45-6-317
Criminal charges, 45-6-325, See also **CRIMES**
Dentists — alteration of diplomas, certificates, or transcripts, 37-4-326
Do not resuscitate identification, 50-10-106
Drugs
  labels, 45-9-105, 50-31-103, 50-31-501, 50-32-101, See also **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Misbranded articles**
  prescriptions, 45-9-104, 45-9-106
Elections, forgery of endorsement of ballot, 13-35-207
Engineers, professional — forged evidence in obtaining certificate of registration, 37-67-332
Food labels, 50-31-501
Insurance against, See **INSURANCE, CASUALTY**, generally; **SURETYSHIP AND SURETIES, Surety insurance**
Insurance producers, insurance applications, 33-17-1001
Insurers, grounds for rehabilitation, 33-2-1331
Landscape architects, forged evidence in obtaining license, 37-66-104
Land surveyors, professional — forged evidence in obtaining certificate of registration, 37-67-332
Letters of credit, 30-5-114
Living will declarations or revocations, 50-9-206
Lottery, state — tickets or chances, audit for security against, 23-7-411
Meat inspection stamps, marks, or certificates, 81-9-234
Montana quality label, 81-8-705
Motor vehicles
  certificate of ownership, 61-3-603
  financial responsibility, evidence of proof, 61-6-151
  wrecking facilities, certificate of title, 75-10-514
Naturopathic physicians, obtaining license by, 37-26-408
Negotiable instruments
  endorsement, 30-3-420
  holder in due course, acquisition of instrument, 30-3-302
  signatures, 30-1-201, 30-3-406
  "unauthorized" defined, 30-1-201
Optometrists, alteration of certificates of registration, 37-10-301
Physicians, false or forged evidence to board of medical examiners, 37-3-325
Predators, bounty certificates, 81-7-121
Prescriptions, drug, 45-9-104, 45-9-106
Public servant, submission to, 45-7-203
State land surface leases, forgery of bid — forfeiture of deposit, 77-6-203
Statute of limitation, 27-2-213
Trademarks and service marks, 30-13-333, 30-13-335, 50-31-501

FORGERY AND COUNTERFEITING (Continued)

Unauthorized signature or endorsement, 30-1-201
Weights, measures, and grades — counterfeiting seal of enforcement officer, 30-12-503
Wills, self-proved, 72-3-309

FORMS
Abandoned horses, sale notices, 81-4-510
Abandoned property, notice, 70-9-302
Acknowledgments, certificates of attorney-in-fact, 1-5-205
Admissions, request for, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 21
Affirmation in lieu of oath, 1-6-104; Const., III, 3
All-beverages license, notice of application, 16-4-207
Answer, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 16
Appeals
  briefs
    reference to the record, Title 25, chapter 21, M.R.App.P., Rule 23
    statement of the case, Title 25, chapter 21, M.R.App.P., Rule 23
  in forma pauperis, affidavit, Title 25, chapter 21, M.R.App.P., Appendix, Form 2
  notice of appeal, Title 25, chapter 21, M.R.App.P., Appendix, Form 1
Bonds, performance — notice for claim against, 18-2-204
Cities and towns
  disincorporation election ballots, 7-2-4904
  general obligation bonds, notice of sale, 7-7-4251
City-county consolidation, election ballots, 7-3-1206
Civil actions, Title 25, chapter 20, M.R.Civ.P., Rule 84; Appendix
Community college districts
  organization, proposition for, 20-15-203
  trustee election, 20-15-220
Complaint on or for
  account, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 3
  answer to complaint, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 17
  conversion, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 10
  election contest, 13-36-203
  fraudulent conveyance, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 12
  goods sold and delivered, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 4
  interpleader and declaratory relief, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 14
  money had and received, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 7
  money lent, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 5
  money paid by mistake, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 6
  negligence, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 8; Form 9; Form 13
  promissory note, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 2
  quiet title action, 70-28-104
  small claims court, justice's court — in, 25-35-602
  specific performance, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 11
  third-party, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 18
Concealed weapon, permit to carry, 45-8-322
Conciliation, petition for, 40-3-122
Counterclaim, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 16; Form 17
Counties
  abandonment and consolidation
    election ballot, 7-2-2711
    resolution, 7-2-2708
  borrowing, election for approval — ballot, 7-7-2405
  emergency expenditures, election for authorization — ballot, 7-6-2344
  exceeding maximum mill levy, election ballot, 7-6-2534
  general obligation bonds, notice of sale, 7-7-2251

FORMS (Continued)
Counties (Continued)

- name change
  - certification of signatures, 7-2-2504
  - petition, 7-2-2503
- new, creation by legislation — election ballot, 7-2-2316, 7-2-2319
- new, creation by petition
  - election ballot, 7-2-2218
  - notice, 7-2-2209
- parks or county-owned cultural, social, and recreational facilities — levy election ballot, 7-16-2102
- roads and bridges, additional construction tax levy — election ballot, 7-14-2504

County high school unification election ballot, 20-6-312
County officers
- deputies, affidavits for payment of salaries, 7-4-2506
- fees collected, affidavit, 7-4-2512

County park districts, elections
- creation of district, 7-16-2412
- tax levy, change, 7-16-2432

County weather modification authorities, petitions for
- creation, 85-3-412
- recall, 85-3-417

Covenants, 30-11-110
Cross-claim, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 16
Declaration in lieu of oath, 1-6-104
Deeds, 70-20-103
Defenses, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 16; Form 17
Deposition envelopes, Title 25, chapter 20, M.R.Civ.P., Rule 30(f)
Discovery, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 20; Form 21
Dismissal, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 15
Door-to-door sales contracts, cancellation, 30-14-505
Drainage districts
- assessment roll, 85-8-342
- oath of commissioners, 85-8-308

Elections
- ballot issues
  - ballot, 13-27-312
  - petitions
    - constitutional amendment, 13-27-207
    - constitutional convention, 13-27-206
    - initiative, 13-27-204
    - referendum, 13-27-205
    - signatures, verification, 13-27-302, 13-27-304, 13-27-307
- ballots
  - ballot issues, 13-27-312
  - judicial incumbents, for, 13-14-212
  - paper ballot instructions, 13-12-209
  - rejection marking, 13-15-203
- challenges, oath of elector, 13-13-306
- contest, complaint, 13-36-203
- polling places, warning notices, 13-13-113
- registration notice envelopes, 13-2-207

Emergency and disaster services personnel, oath, 10-3-112
Employment agency contracts, 39-5-302
Enlistment oath, 10-1-302
Estates, nonprobate transfers — multiple-party account, 72-6-204

FORMS (Continued)

Execution
  imprisoned judgment debtor, oath, 25-14-306
  justices' and city courts, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 23C
  sale, notice, 25-13-701
Executive clemency, order favoring hearing, 46-23-302
Foreign-money claim judgments, 25-9-708
Grants of property, 70-20-103
Horses, abandoned — sale notices, 81-4-510
Hospital districts, additional levies — election ballot, 7-34-2135
Installment sales contracts, 31-1-231
Interpleader, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 14; Form 17; Form 18
  justice's court, affidavit, 25-31-119
  small claims court, affidavit, 25-35-508
Intervention, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 19
Juror's oath, 25-7-207
Justice's court, interpleader affidavit, 25-31-119
Liens
  construction
    notice of lien, 71-3-536
    notice of right to claim, 71-3-532
  loggers', 71-3-605
Living wills, 50-9-103
Local government
  alteration of existing form, ballot requirements, 7-3-150, 7-3-151
  review of government and establishing study commission, election ballot, 7-3-175
  service consolidation or transfer election ballots, 7-11-308
Militia
  enlistment oath, 10-1-302
  officers' oath, 10-1-202
Mines, reclamation map certification, 82-4-222
Minors, transfers to — instrument creating transfer, 72-26-603
Mortgages, 71-1-204
Municipal commission government, election ballots
  abandonment of form, 7-3-4227
  reorganization, 7-3-4210
Municipal commission-manager form of government
  organization, election ballots for, 7-3-4307
  ordinances, enacting clause, 7-3-4324
Museum, notice to preserve an interest in property on loan to, 22-3-506
Necessary party, omission, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 22
Notarial act certificate short forms, 1-5-610
Oaths, 1-6-102
  affirmation or declaration in lieu of, 1-6-104; Const., III, 3
  emergency and disaster services personnel, 10-3-112
  enlistment, 10-1-302
  jurors, 25-7-207
  military officers, 10-1-202
  public officers, 2-16-211; Const., III, 3
Personal solicitation sales contracts, cancellation, 30-14-505
Pleadings, caption, Title 25, chapter 20, M.R.Civ.P., Rule 10(a)
Power of attorney, statutory, 72-31-201
Pretrial order, district court, Title 25, chapter 19, M.U.Dist.Crt.Rule 5
Production, motion for, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 20
Quieting title
  complaint, unknown parties defendant, 70-28-104

FORMS (Continued)
Quieting title (Continued)

  memorandum when action by heirs of deceased entrymen, 70-28-208
  summons, 70-28-207; Title 25, chapter 20, M.R.Civ.P., Rule 4C
Recall
  certification and affidavit of signatures, 2-16-619, 2-16-620
  election
    ballot, 2-16-633
    notice, 2-16-631
  petition, 2-16-616
  weather modification authorities, 85-3-417
Retail installment sales contracts, 31-1-231
Rules of Appellate Procedure, Title 25, chapter 21, M.R.App.P., Appendix
Rules of Civil Procedure, Title 25, chapter 20, M.R.Civ.P., Rule 84; Appendix
Sales
  execution, notice, 25-13-701
  personal solicitation, cancellation, 30-14-505
  real property under decree of court, record, 70-21-206
School districts
  bond election
    ballot, 20-9-426
    notice, 20-9-427
  bonds, notice of sale, 20-9-430
  building reserve election ballot, 20-9-502
  joint interstate contracts, proposition for approval, 20-9-705
School election ballots, See **SCHOOL ELECTIONS, Ballots, form**
School trustee election ballot, 20-3-306
Secured transactions, financing statement, 30-9-402
Service by mail, notice and acknowledgment, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 18-A
Set aside, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 12
Sheriff's sale, notice, 25-13-701
Small claims court
  district court, affidavit and order, 25-34-201
  interpleader affidavit, 25-34-106, 25-35-508
  justice's court
    complaint and order of court/notice to defendant, 25-35-602
    defendant's counterclaim, 25-35-606
Summons, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 1; Form 18
  quieting title, 70-28-207; Title 25, chapter 20, M.R.Civ.P., Rule 4C
Supersedeas bond, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 23
Taxation
  assessment book, affidavit of
    county clerk and recorder, 15-10-306
    revenue, department of, 15-10-305
  assessment, notice of change, 15-1-403
  budget increase from property taxes, notice of — advertisement, 15-10-203
  county tax sale assignment certificate, 15-17-323
  income tax checkoff
    agriculture in Montana schools contributions, 15-30-152
    child abuse and neglect prevention program contributions, 15-30-155
    drug abuse resistance education program, 15-30-158
    nongame wildlife funding, 15-30-150
  tax deed, 15-18-213, 15-18-215, 15-18-216
Third-party complaint, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 18
Unclaimed property, notice, 70-9-302

FORMS (Continued)

Water rights adjudication, order of supreme court, 85-2-212
  notice of order, 85-2-213
Weather modification authorities, petitions for
  creation, 85-3-412
  recall, 85-3-417
Will
  international, certificate, 72-2-905
  self-proved, acknowledgment, 72-2-524
Youth court proceedings, petition, 41-5-501

FORT PECK-MONTANA COMPACT AND COMPACT BOARD, 85-20-201

FOSSIL, STATE, 1-1-509

FOSTER HOMES
  See **ADULTS, Foster family care homes; CHILD ABUSE AND NEGLECT; DEVELOPMENTALLY DISABLED PERSONS, Community homes; Community services**

FRANCHISES
Banks, consolidation or merger — effect, 32-1-371
Beer brewers, importers, and wholesalers, See **ALCOHOLIC BEVERAGES, Beer brewers, importers, and wholesalers**, contracts, agreements, and franchises
Cemetery association permanent care and improvement fund trusteeship, pertaining to, 35-20-302, 35-20-304, 35-20-306, 35-20-307
Cemetery district permanent care and improvement fund trusteeship, pertaining to, 7-35-2139, 7-35-2142, 7-35-2144, 7-35-2145
Cities and towns, powers, See **CITIES AND TOWNS; CITY FINANCE, Refunding revenue bonds, option two**, enterprise
City-county consolidation
  transfer, provision for, 7-3-1102
  vote required when, 7-3-1225
Corporate abuses, See **QUO WARRANTO, WRIT OF**
Corporations, 35-1-115, 35-1-217, 35-1-1038, See **CORPORATIONS**, generally
Counties, powers, See **COUNTIES**
Dealership or distribution agreements, See **ALCOHOLIC BEVERAGES, Beer brewers, importers, and wholesalers**, contracts, agreements, and franchises; **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Dealers and wholesalers**, succession to ownership; **Manufacturers, distributors, and importers; SALES, Dealership or distribution contracts; Farm implements dealership agreements**
Development corporations, securement of indebtedness, 32-4-201
Election franchise, See **ELECTIONS**, generally
Eminent domain, subject to, 70-30-103, 85-1-209
Ferries and ferrykeepers, 7-14-2826, 7-14-2828, 70-30-103
Fraternal benefit societies, consolidation or merger — effect, 33-7-215
Housing authorities, municipal — property, 7-15-4402
Insurance
  franchise disability, 33-22-401
  medicare supplement policies, See **INSURANCE, DISABILITY, Policies, medicare supplement**
  title insurance business producer, franchisee, See **INSURANCE, TITLE, Associate**
Insurers
  reciprocal, 33-5-503
  taxation, preemption by state, 33-2-707
Irrigation districts
  construction, right-of-way for, 85-7-1909

FRANCHISES (Continued)
Irrigation districts (Continued)

dissolution, 85-7-1003, 85-7-1004, 85-7-1007
Judgments, declaratory, 27-8-202, 27-8-301
Lobbying, See **LOBBYING AND LOBBYISTS**
Motorist information sign program, 60-5-502, 60-5-504, 60-5-505, 60-5-509, 60-5-510, See also **HIGHWAYS, Motorist information signs**
Motor vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Dealers and wholesalers**, succession to ownership; **Manufacturers, distributors, and importers**
Municipal commission government, See **MUNICIPAL COMMISSION GOVERNMENT**
Municipal commission-manager government, See **MUNICIPAL COMMISSION-MANAGER GOVERNMENT**
Nonprofit corporations, 35-2-118, 35-2-119, See **NONPROFIT CORPORATIONS**, generally
Public office, usurpation or abuses, See **QUO WARRANTO, WRIT OF, Quo warranto**
Railroads, See **RAILROADS**
Real estate brokers, franchise agreements, 37-51-102, 37-51-321
Religious corporations sole, 35-3-205, See **RELIGIOUS CORPORATIONS SOLE**
Retail installment sales, See **CREDIT TRANSACTIONS**
Snowmobiles, 23-2-619
Special grant by law prohibited, Const., II, 31
Taxation
  assessment of property, 15-8-403 — 15-8-407, 15-23-101, 15-23-303
  corporations taxable in another state, when, 15-31-303
  federal territory, within, 2-1-202, 2-1-205, 2-1-209
  "property" defined, 15-1-101
Unfair trade practices, corporate dissolution or franchise forfeiture, 30-14-134, 30-14-141, 30-14-223
Utilities
  municipal commission-manager governments, See **MUNICIPAL COMMISSION-MANAGER GOVERNMENT, Utilities**
  rural cooperative, 35-18-106, 35-18-107, 35-18-317, 35-18-403, See **UTILITIES, RURAL COOPERATIVE**, generally
  unclaimed or abandoned property, 70-9-102, See **PROPERTY, PERSONAL, Unclaimed or abandoned property**
Voting privilege, See **ELECTIONS**, generally
Water
  "cost of works", "owner", and "works" defined, 85-1-102
  eminent domain, subject to, 85-1-209
  projects crossing, 85-1-208
Water conservancy districts, "works" defined, 85-9-103
Water supply system, private, 7-13-3041

FRATERNAL BENEFIT SOCIETIES
Acknowledgment, articles of incorporation, 33-7-208
Actions, 33-7-120, 33-7-208, 33-7-307
Actuary, certification of certificate valuations, 33-7-118
Alcoholic beverage licenses, 16-3-306, 16-4-105, 16-4-201, 16-4-301, 16-4-501, 49-2-304, 49-3-204
Alien societies, 33-7-119, 33-7-121, 33-7-209, 33-7-408, 33-7-531, 49-3-204
Annual statements, 33-7-118, 33-7-210, 33-7-306
Applicability of provisions, 33-7-117
Articles of incorporation, 33-7-108, 33-7-208, 33-7-531, See also **Laws and rules**
Assembly, 33-7-107, See **Supreme governing body**
Assets, 33-7-120, 33-7-210, 33-7-214, 33-7-409
Authority to do business, 33-7-118, 33-7-121
Beneficiaries, 33-7-308, 33-7-409, 33-7-521, 33-7-523

FRATERNAL BENEFIT SOCIETIES (Continued)

Benefit contract, 33-7-108
  assets, rights of members or beneficiaries, 33-7-409
  assignability, 33-7-523
  beneficiary, change, 33-7-521
  certificate, 33-7-108, 33-7-118, 33-7-126, 33-7-208, 33-7-411, 33-7-521, 33-7-523, 33-7-524
  children, issuance to — effect, 33-7-523
  endorsements, 33-7-523
  enumeration of benefits, 33-7-520
  good faith requirement, 33-7-120, 33-7-121
  laws — effect of changes, additions, or amendments, 33-7-523
  mortality standards, 33-7-411
  premiums, 33-1-502, 33-7-108, 33-7-208, 33-7-523, 49-2-309
  riders, 33-7-523
  transfer of ownership when, 33-7-523
  variable basis, issuance on, 33-7-409
  what constitutes, 33-7-523
Benefit members, 33-7-107, 33-7-108, 33-7-110, 33-7-306, 33-7-411
Benefits, 33-7-126, 33-7-411, 33-7-520, 33-7-523, 33-7-533
  applications, 33-7-208
  attachment prohibited, 33-7-522
  bankruptcy, exemption, 31-2-106
  beneficiaries, 33-7-308, 33-7-409, 33-7-521, 33-7-523
  contract, See **Benefit contract**
  discrimination prohibited, 33-1-502, 49-2-309
  false or fraudulent statements, penalty, 33-7-125
  funeral, 33-7-521
  liability, personal, 33-7-307
  purpose of society, 33-7-109
Board, 33-7-107, See **Supreme governing body**
Board of directors, See **Directors, board of**
Bond requirement, 33-7-208
Bylaws, 33-7-108, 33-7-208, 33-7-531, See also **Laws and rules**
Cash surrender values, 33-7-524
Certificate of authority, 33-7-120, 33-7-208, 33-7-217
Certified public accountants, 33-7-409
Charter, 33-7-108, 33-7-208, 33-7-217, See also **Laws and rules**
Children, 33-7-106, 33-7-520, 33-7-523
Circulars, filing of copies, 33-7-208
Competition, unfair methods, 33-7-533
Comprehensive health association, participation in, Title 33, chapter 22, part 15
Consolidation or merger, 33-7-214, 33-7-215
Constitution, 33-7-108, See **Laws and rules**
Conversion into mutual life insurer, 33-7-216
Deceptive practices, 33-7-533
Definitions, 33-7-105, 33-7-108, 33-7-525
Delegates, 33-7-107, 33-7-209
Directors, board of, 33-7-107, 33-7-306, 33-7-307
  articles of incorporation, contents, 33-7-208
  conversion into mutual life insurer, plans for, 33-7-216
  reserves, impairment, 33-7-523
  rules, 33-7-108, See **Laws and rules**
Discontinuance of business, 33-7-120
Discrimination
  contract terms and conditions, in — prohibited, 33-1-502, 49-2-309, See also
    DISCRIMINATION, Insurance; Insurers

FRATERNAL BENEFIT SOCIETIES (Continued)
Discrimination (Continued)

lodges of recognized national fraternal organizations, exemption from provisions, 49-2-101, 49-2-304, 49-3-204
Documents, 33-7-208, 33-7-215, 33-7-523
Employees, 33-7-307, 33-17-201
English language requirements, 33-7-208, 33-7-306, 33-15-321 — 33-15-329, See also **INSURANCE, Policies**, language simplification
Examination or investigation, 33-7-119 — 33-7-121, 33-7-126, 33-7-526, 33-7-531, 33-7-532
Exemption of certain societies, 33-7-126
False statements, 33-7-125
Fees, 33-7-118, 33-7-123, 33-7-217
Filings, 33-7-118, 33-7-208, 33-7-209, 33-7-215, 33-7-217, 33-7-523, 33-7-531
Financial statements, 33-7-118, 33-7-210, 33-7-215, 33-7-306
Fines, 33-7-125
Fire protection and safety regulations, 50-61-103
Foreign societies, 33-7-119, 33-7-121, 33-7-209, 33-7-408, 33-7-531, 49-3-204
Forfeitures, 33-7-118
Fraudulent practices, 33-7-120, 33-7-121, 33-7-125
Funds, 33-7-120, 33-7-208, 33-7-408 — 33-7-410; Const., V, 11
Funeral homes, operation prohibited, 33-7-210
Governing body, See **Supreme governing body**
Hearings, 33-7-120
Incorporation
  articles of, 33-7-108, 33-7-208, 33-7-531
  voluntary associations, 33-7-208
Information and Privacy Protection Act, Title 33, chapter 19
Injunction, 33-7-120, 33-7-122
Insolvency, 33-7-214
Institutions operated by, 33-7-210
Insurance
  cash surrender values, 33-7-524
  contracts, 33-7-208, 33-7-214, 33-17-201
  liability, purchase, 33-7-307
  state laws, applicability, 33-1-102, 33-7-117, 33-7-126
Insurance producers, 33-7-117, 33-7-525, 33-7-526, 33-7-532, 33-7-533, 33-17-201, 49-3-204
Investments, 33-7-408, 33-7-409
Ladies' societies or auxiliaries, exemption, 33-7-126
Landlord-tenant provisions, applicability, 70-24-104
Laws and rules, 33-7-108
  additions, 33-7-523
  adoption or amendment, 33-7-107 — 33-7-109, 33-7-209, 33-7-523
  beneficiary, changes or designations, 33-7-521
  benefit contract, inclusion and general provisions, 33-7-523
  benefit member, designation, 33-7-108
  benefits, who may be covered, 33-7-520
  board, vacancies — filling, 33-7-107
  changes, 33-7-523
  complaint procedures, 33-7-306
  delegates, election, 33-7-107
  directors, board of — vacancies, filling, 33-7-107
  evidence, printed copies as, 33-7-209
  filing, 33-7-208, 33-7-531
  foreign or alien societies, 33-7-209, 33-7-531
  grievance procedures, provision for, 33-7-306
  members
    election, initiation, or admission, 33-7-106

FRATERNAL BENEFIT SOCIETIES (Continued)
Laws and rules (Continued)
  members (Continued)
    expulsion or suspension, 33-7-523
  membership qualifications, 33-7-110
  publication, official, 33-7-306
  reserves, impairment, 33-7-523
  violation, 33-7-523
  waiver not allowed, 33-7-308
Liability, 33-7-208, 33-7-214, 33-7-307
Licenses, 33-7-526, 33-7-531, 33-7-532, 33-17-201, 49-3-204
Liquidation, 33-2-1304, 33-7-120
Loans on policies, 33-7-523, 33-7-524, 33-20-135
"Lodge" defined, 33-7-108
Lodge system, operation on, 33-7-105, 33-7-106
Long-term care insurance, Title 33, chapter 22, part 11
Management of affairs, 33-7-106, 33-7-109, 33-7-208
Medical examinations, applicability of provisions, 33-7-126
Medicare supplement insurance policies, Title 33, chapter 22, part 9
Meetings, 33-7-106, 33-7-107, 33-7-209, 33-7-215, 33-7-216, 33-7-306
Members
  admission, 33-7-106, 33-7-109, 33-7-110
  assets, rights in — when, 33-7-409
  beneficiaries, 33-7-308, 33-7-409, 33-7-521, 33-7-523
  benefit members, 33-7-107, 33-7-108, 33-7-110, 33-7-306, 33-7-411
  benefits, See **Benefit** entries
  board, election, 33-7-107
  complaint procedures, 33-7-306
  consolidation or merger contract, copy to, 33-7-215
  delegates, election, 33-7-107
  directors, board of — eligibility for, 33-7-107
  discrimination in terms and contracts prohibited, 33-1-502, 49-2-309
  election, 33-7-106
  expulsion, 33-7-523
  grievance procedures, 33-7-306
  initiation, 33-7-106
  laws
    amendments, 33-7-209
    waiver not allowed, 33-7-308
  mailing addresses, 33-7-306
  premiums, 33-1-502, 33-7-108, 33-7-208, 33-7-523
  proxy, vote by — prohibited, 33-7-107
  rules, applicability, 33-7-108, See **Laws and rules**
  social members, 33-7-110
  suspension, 33-7-523
  voting members, 33-7-107
Membership
  application for, 33-7-125, 33-7-523
  eligibility requirements, 33-7-533
  less than required, 33-7-120
  qualifications, 33-7-110
  rights, nonassignability, 33-7-107
  solicitation prohibited when, 33-7-125
Merger or consolidation, 33-7-214, 33-7-215
Mutual life insurer, conversion into, 33-7-216
Name, 33-7-208
Noncompliance with provisions, 33-7-120, 33-7-121, 33-7-125

FRATERNAL BENEFIT SOCIETIES (Continued)

Notices
  annual statements, forfeiture for failure to file, 33-7-118
  authority to do business, cessation, 33-7-118
  certificate of authority, expiration, 33-7-217
  consolidation or merger, 33-7-215
  deficiencies and correction requirement, 33-7-120, 33-7-121
  laws, amendments, 33-7-209
  publication, 33-7-306
Office, principal, 33-7-209, 33-7-306
Officers
  affidavits, 33-7-215
  applicants, list and statement of benefit amounts and premiums, 33-7-208
  breach of duty, 33-7-307
  consolidation or merger, 33-7-215
  documents, certification, 33-7-523
  election, 33-7-107, 33-7-208
  foreign or alien societies, statement of business, 33-7-531
  hearings, notification, 33-7-120
  indemnification and reimbursement when, 33-7-307
  insurance producer license not required, 33-17-201
  laws
    amendments, 33-7-209
    waiver not allowed, 33-7-308
  liability, personal, 33-7-307
  service of process, copy to, 33-7-123
  standards of conduct, 33-7-307
  voluntary associations, 33-7-208
Organization, 33-7-208
Penalties, 33-7-125
Powers generally, 33-7-109, 33-7-120, 33-7-121, 33-7-208
Preferred provider agreements, Title 33, chapter 22, part 17
Premiums, 33-1-502, 33-7-108, 33-7-208, 33-7-523
Property, 33-7-210, 33-7-215
Publication, official, 33-7-209, 33-7-215, 33-7-306
Purposes, 33-7-109, 33-7-208 — 33-7-210, 33-7-409
Receivership and appointment of receiver, 33-7-120
Records, 33-7-120, 33-7-306
Referendum when, 33-7-209
Rehabilitation, 33-2-1304
Reincorporation, 33-7-208
Reinsurance, 33-7-214
Reports, 33-7-118, 33-7-306
Representative form of government, 33-7-105, 33-7-107
Reserves, 33-7-214, 33-7-411, 33-7-523, 33-7-524
Review of decisions, 33-7-124
Rules, 33-7-108, See **Laws and rules**
Scope of provisions, 33-7-117
Securities registration, exemption, 30-10-104
Service of process, 33-7-123, 33-7-531
Small employer health insurance, Title 33, chapter 22, part 18
State appropriations prohibited, Const., V, 11
Statements, publication, 33-7-306
Subordinate lodges, 33-7-106, 33-7-126, 33-7-208, 33-7-307, 33-7-308, 33-17-201
Supreme governing body
  accounts, establishment and operation, 33-7-409

FRATERNAL BENEFIT SOCIETIES (Continued)
Supreme governing body (Continued)

- assembly, 33-7-107
- benefit contracts, issuance — variable basis, 33-7-409
- board, 33-7-107
- consolidation or merger, approval, 33-7-215
- conversion into mutual life insurer, plans for, 33-7-216
- delegates, election, 33-7-107
- indemnification or reimbursement of persons, determination, 33-7-307
- laws, amendments, 33-7-209
- liability, personal — officers and members, 33-7-307
- meetings, 33-7-209, 33-7-215, 33-7-216, 33-7-306
- minutes of proceedings, 33-7-306
- officers, election, 33-7-208
- rules, 33-7-108, See **Laws and rules**

Taxation, 15-6-203, 15-6-209, 15-31-102, 33-7-410
Trustees, 33-7-208
Unfair trade practices, 33-7-533
Utilization review, health care insurers, 33-22-125
Valuations, 33-7-118, 33-7-126. 33-7-411
Violations, 33-7-120, 33-7-125, 33-7-526
Voluntary associations, incorporation and continuation, 33-7-208

FRATERNAL ORGANIZATIONS
Alcoholic beverage licenses, 16-3-306, 16-4-105, 16-4-201, 16-4-301, 16-4-501, 49-2-304, 49-3-204
Amusement games, Title 23, chapter 6, part 1
Benevolent associations, applicability, 33-6-102
Community services buildings, tax exemption, 15-6-209
Discrimination provisions, applicability, 49-2-101, 49-2-304, 49-3-204, See also **DISCRIMINATION**, generally
Gambling, See also **GAMBLING**

- nonprofit organization, 23-5-112
- public, 23-5-112

Postsecondary educational institution provisions, exemption when, 20-30-102

FRAUD
See also **CRIMES**, **False pretenses and fraud**; **Theft**
Accountants, fraudulent practices, 37-50-321
Actual fraud, 28-2-404, 28-2-405, See **CONTRACTS**, **Consent**
Acupuncturists, fraudulent practices, 37-13-311
Adoption assistance, interstate — coverage and benefits obtained by, 52-2-528
Advertising, See **ADVERTISING**, **False advertising**
Agent, no authority to defraud principal, 28-10-409
Agricultural chemical ground water protection confidential information and data, 80-15-414
Agricultural commodities, fraudulent warehouse receipts, 80-4-428
Agricultural statistics, fraudulent information furnished for, 80-1-204
Air quality orders procured by, 75-2-411
Alcoholic beverages, fraudulent misrepresentation of age, 16-6-305
Amusement games, 23-6-102
Arbitration award, vacation, 27-5-312
Architects, fraudulent practices, 37-65-321
Arrest for, 27-16-102
Asbestos-related occupations, in obtaining accreditation, 75-2-514
Attachment of property, 27-18-202, 27-18-203
Bad checks, issuance, 27-1-717, 45-6-316

FRAUD (Continued)

Bank deposits and collections, payor bank — transfer of item for purpose of defrauding, 30-4-302
Banks and trust companies
  "destruction in regular course of business" defined, 32-1-494
  directors, officers, or employees — by, 32-1-464, 32-1-473
Barber schools, colleges, or owners, 37-30-404
Boats, concerning, 23-2-512
Bounty claims, 81-7-113, 81-7-122
Breach of promise, basis for recovery, 27-1-602
Building and loan associations — by directors, officers, agents, or employees, 32-2-107
Carnival games, 23-6-102
Carriers
  fraudulent information, 69-2-205
  liability, 69-11-105
Casualty insurance, See **INSURANCE, CASUALTY**, generally
Checks, issuing bad checks or wrongful stop order, 27-1-717, 45-6-316
Chemical dependency treatment facilities, filing of fraudulent returns, 53-24-208
Chiropractors, fraudulent practices, 37-12-321, 37-12-324
Cigarette license stamp or insignia, forgery, 16-11-134, 16-11-146
City-county consolidated governments, claims to, 7-3-1314
Cities or towns
  authority, 7-31-4104
  claims to, false, 7-6-4311
City treasurer, 7-6-212
Claims to
  cities or towns, false, 7-6-4311
  public agencies, false, 7-3-1314, 17-8-231, 45-7-210
Close corporations, board of directors — by, 35-9-501
Commercial fertilizer registrants or distributors, fraudulent practices, 80-10-211
Construction blasters, in obtaining license, 37-72-203
Constructive fraud, 28-2-404, 28-2-406, See **CONTRACTS**, **Consent**
Consumer counsel, regulated companies' fees — returns, 69-1-230
Consumer protection, 30-14-142
Contracts, See **CONTRACTS**
Corporations
  certificate of incorporation obtained by, 35-6-102
  directors, board of, 35-1-425, 35-1-938
  dissolution, authority for, 35-1-938
  shareholders' right to dissent, 35-1-827
Cosmetics, consumer protection, 50-31-105, 50-31-509
Counselors, obtaining or renewal of licenses by, 37-23-311
County Commissioners, Board of — by, 7-4-2113
County motor fuel tax, 7-14-304
County treasurer, 7-6-212
Creditors
  fraudulent transfers to defraud, See **FRAUDULENT TRANSFERS**
  imprisonment of debtor, Const., II, 27
Crime victims reparation benefits, for, 53-9-111
Damages
  discretionary interest, 27-1-212
  liability for, 27-1-712
  punitive, 27-1-221
Day-care facilities, to obtain license or registration, 52-2-726
Debts, assignment for benefit of creditors — void, 31-2-209
Deeds, parol evidence, 28-2-905, 70-20-202

FRAUD (Continued)

Defense, Title 25, chapter 20, M.R.Civ.P., Rule 8(c)
Defined, 28-2-404 — 28-2-406, See also **CONTRACTS, Consent**
Dentists, fraudulent practices, 37-4-323, 37-4-326
Denturists, fraudulent practices, 37-29-311
Developmentally disabled persons, Title 52, chapter 3, part 8, See **DEVELOPMENTALLY DISABLED PERSONS, Abuse, neglect, or exploitation**
Dispossession, fraudulent, 1-3-209
Dissolution of marriage, summary dissolution — judgment, action to set aside, 40-4-135, 40-4-136
Ditch company employees, liability actions, 27-1-713
Documents of title
  applicability of laws, 30-7-502
  issuance, 30-7-702
Drainage districts, creation — fraudulent deeds, 85-8-120
Drivers' licenses, applications or fraudulent use, 61-5-201, 61-5-206, 61-5-302
Drugs
  consumer protection, 50-31-105, 50-31-306, 50-31-501, 50-31-509
  registration of manufacturers, distributors, or dispensers — application, 50-32-306, 50-32-311
  wholesale drug distribution licenses, concerning, 37-7-607, 37-7-608
Elderly persons, Title 52, chapter 3, part 8, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Elections, See also **ELECTIONS, Crimes and prohibited acts**
  ballot issues, 13-27-106, 13-27-303
  counting of votes, grounds for contest, 13-36-101
  declarations or certificates of nomination, destruction or defacing, 13-35-206
  election officials, by, 13-35-204
  electors, coercion or undue influence, 13-35-218
  mail ballot elections, 13-19-105
  registration of elector, in, 13-35-207, 13-35-209
  voting machines or devices, construction specifications, 13-17-103
Electricians, in obtaining licenses, 37-68-321
Electronic funds transfer systems, 32-6-102
Employment agency, by, 39-5-203
Employment, misrepresentation of nature of, 39-2-303
Engineers, professional — fraudulent practices, 37-67-331
Estates and probate, See **ESTATES AND PROBATE**
Execution, in proceedings in aid of, 25-14-106
Facsimile signatures or seals of public officers, misuse, 2-16-114
Filled dairy products, fraudulent practices, 81-22-411
Fire department relief associations, fraudulent appropriation of funds, 19-18-207
Food, consumer protection, 50-31-105, 50-31-509
Forcible entry and detainer and unlawful detainer, complaint, 70-27-113
Foreign-money claims, supplementary principles of law, 25-9-714
Foreign money-judgments, nonrecognition, 25-9-605
Fraternal benefit societies, fraudulent practices, 33-7-120, 33-7-121
Fraudulent Transfer Act, Uniform, Title 31, chapter 2, part 3, See **FRAUDULENT TRANSFERS**
Funeral directors, fraudulent practices, 37-19-311
Gambling, obtaining anything of value by, 23-5-156
Gasoline and petroleum products
  license tax on, 15-70-212, 15-70-226
  price discrimination as, 82-15-203
Hazardous substances, offenses committed with intent to defraud, 50-30-304
Health care providers, health care payments, 50-16-529

FRAUD (Continued)

Health maintenance organization enrollees, fraudulent information in enrollment, 33-31-312
Health service corporation insurance producers, obtaining license by, 33-30-313
Hearing aid dispensers, fraudulent practices, 37-16-411
Identification cards, applications or fraudulent use, 61-5-302
Imprisonment of debtor, Const., II, 27
Inheritance tax, 72-16-425, 72-16-458
Injunction, 27-19-201
Installment sales licensees, 31-1-222
Instruments, parol evidence, 28-2-905, 70-20-202
Insurance
  against fraud, See **INSURANCE, CASUALTY**, generally
  applications, fraudulent statements, 33-15-403, 33-18-401
  benefits, fraudulent practices regarding, 33-15-511, 33-15-514, 33-18-401
  claims, fraudulent statements, 33-18-401
  commissioner of, upon, 33-2-1120
  consultants, fraudulent practices, 33-17-507
  disability
    blanket policies, applications, 33-22-602
    group policies, applications, 33-22-502
    misstatements, fraudulent, 33-22-205
  fire loss, information from insurer — liability, 50-63-405
  information and privacy protection, 33-19-104, 33-19-201, 33-19-303, 33-19-306, 33-19-409
  insurance producers, adjusters, consultants, and administrators — fraudulent practices, 33-17-1001, 33-18-401
  liability risk retention groups, 33-11-104
  life insurance or annuity contracts
    applications, 33-20-106
    contestability when, 33-20-119
  motor vehicle, 61-3-106
  policies, misrepresentations, 33-15-1101, 33-15-1103
  premium finance company licenses obtained by, 33-14-203
  property
    defense to suit upon, fraud as, 33-24-102
    fraudulent valuation, rescission of contract, 33-24-101
  rating or advisory organizations, fraudulent practices, 33-16-111
  small employer health insurance, 33-22-1810
Insurers
  by, 33-2-1120
  claim settlements, cause of action, 33-18-242
  fire loss, information concerning — liability, 50-63-405
  fraudulent transfers, See **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION, Transfers**
  rehabilitation, grounds for, 33-2-1331
Irrigation districts, defense to conclusiveness of tax or assessment, 85-7-2117
Judgment, relief from when, 26-3-205; Title 25, chapter 20, M.R.Civ.P., Rule 60(b); Title 25, chapter 21, M.R.App.P., Rule 7
Judicial record, impeachment by, 26-3-105
Landlord-tenant relationships, applicability, 70-24-105
Landscape architects, fraudulent practices, 37-66-321
Land surveyors, professional — fraudulent practices, 37-67-331
Leases
  creditors, special rights, 30-2A-308
  delivery procured through, 30-2A-304, 30-2A-305
  material misrepresentation, rights and remedies, 30-2A-505

FRAUD (Continued)
Leases (Continued)

- possession of goods, 30-2A-302, 30-2A-308
- rights and remedies, effect on, 30-2A-505
- sale of goods by lessee, delivery, 30-2A-305
- sublease of goods by lessee, delivery, 30-2A-305
- subsequent lease of goods by lessor, delivery, 30-2A-304

Letters of credit, 30-5-114
Liability, 27-1-712
Liens
- agisters', fraudulent taking of property, 71-3-1204
- loggers', defects in claim, 71-3-607

Limited liability companies, 35-8-303
Livestock
- dealers, 81-8-273
- markets, 81-8-254
- marks and brands, Title 81, chapter 3, See **LIVESTOCK, Marks and brands**

Lottery, state
- fraudulent winning of prizes, audit for security against, 23-7-411
- penalty, 23-7-110

Marriage
- breach of promise, basis for recovery, 27-1-602
- invalidity, grounds, 40-1-402
- license, obtaining by misrepresentation, 40-1-208

Meat establishments, adulterated products, 81-9-234
Medicaid, 53-6-111
Midwives, direct-entry — procurement of licenses, 37-27-213
Milk or cream producers, 81-22-602
Mine safety provisions, 50-73-305
Mining and oil companies
- financing
  - acts which are fraudulent, 30-14-701
  - applicability of laws, 30-14-702
  - exceptions, 30-14-702
  - fine, 30-14-704
  - investigation, 30-14-703
  - penalty, 30-14-704
  - prosecution, 30-14-703
  - securities commissioner
    - investigation by, 30-14-703
    - permit from, effect, 30-14-702
    - prosecution by, 30-14-703
- foreign substances, introduction into ore, 82-2-403
- tax fraud, See **Tax fraud**

Mobile home declarations of destination, 15-24-204
Mortgages, renewal, 71-1-210
Morticians, fraudulent practices, 37-19-311
Motor carriers, fraudulent information, 69-2-205
Motor club service companies, fraudulent practices, 61-12-306
Motor fuel tax, county, 7-14-304
Motor vehicle graveyard and wrecking facility licenses, obtaining by, 75-10-514
Motor vehicle insurance, 61-3-106
Naturopathic physicians, obtaining license by, 37-26-408
Negotiable instruments
- alteration, discharge for, 30-3-407
- defense of obligor, 30-3-305
- endorsement by employee, employer responsibility, 30-3-420

FRAUD (Continued)
Negotiable instruments (Continued)

fictitious payee, 30-3-405
loss resulting from, recovery, 30-3-420
negotiation by, effectiveness, 30-3-209
stop payment of check, 27-1-717
transfer of instrument, effect on, 30-3-210
Nonprofit corporations
articles of incorporation obtained by, 35-2-728
directors, board of, 35-2-423, 35-2-728
Nurseries and nurserymen
fraudulent sales, 80-7-133
licenses, grounds for refusal or revocation, 80-7-107
sale and distribution, in, 80-7-133
Nurses, fraudulent practices, 37-8-441, 37-8-443
Nutritionists, obtaining license by, 37-25-308
Obligations, effect on forfeiture provisions, 28-1-104
Occupational health violations, correction orders procured by, 50-70-111
Occupational safety violations, orders or decisions procured by, 50-71-334
Occupational therapists, obtaining licenses by, 37-24-309
Oil companies, See **Mining and oil companies**
Optometrists, fraudulent practices, 37-10-301, 37-10-311
Osteopaths, procurement of licenses, 37-5-311
Outfitters' and guides' licenses
procurement, in, 37-47-302, 37-47-341
suspension or revocation, ground for, 37-47-341
Partnerships, by partners, 35-10-103
Paternity proceedings, termination of parental rights — effect on order, 40-6-129
Pesticides
formulas, use or revealing of information, 80-8-306
licensees or permittees — fraudulent claims, records, reports, or applications, 80-8-211
Petroleum storage tank releases, claims or documents pertaining to reimbursement, 75-11-321
Pharmacies and pharmacists
licenses, procurement, 37-7-311, 37-7-321
utilization plan, approval, 37-7-323
Pharmacy licenses, procurement, 37-7-321
Physical therapists, procurement of licenses, 37-11-302, 37-11-320, 37-11-321
Physician assistants-certified or supervising physicians, approval obtained by, 37-20-104
Physicians
fraudulent practices, 37-3-322, 37-3-323
unprofessional conduct, 37-1-131, 39-71-316
Pipeline carriers, fraudulent information, 69-2-205
Pleading, Title 25, chapter 20, M.R.Civ.P., Rule 9(b)
Pledges, debtor's misrepresentation of value, 71-2-110
Plumbers, procurement of licenses, 37-69-320
Podiatrists, procurement of license, 37-6-310, 37-6-311
Police officers' retirement system, state plan — unfunded liabilities, determination, 19-9-208
Polygraph examiners, in obtaining licenses, 37-62-212
Predatory animal bounty claims, 81-7-113, 81-7-115, 81-7-122
Private investigators and security patrol officers
business practices, 37-60-321
licenses, in obtaining, 37-60-307
Professional counselors, obtaining or renewal of licenses by, 37-23-311
Property managers, license procurement, 37-51-601

FRAUD (Continued)

Psychologists, procurement of licenses, 37-17-311
Public assistance, See **PUBLIC ASSISTANCE**
Public contractors, by, 15-50-304, 37-71-301
Public Employees' Retirement System, falsification of records or statements, 19-2-1009
Public weigher, fraudulent weighing receipts, 7-21-3108
Radiologic technologists or technicians, fraudulent practices, 37-14-321
Railroads, fraudulent information, 69-2-205
Real estate appraisers — denial, suspension, or revocation of license or certificate for, 37-54-402
Receivers appointed when, 27-20-102
Respiratory care practitioners, obtaining license by, 37-28-210
Sailboats, concerning, 23-2-512
Sales
  creditors of seller, rights, 30-2-402
  delivery, 30-2-403
  installment sales licensees, 31-1-222
  misrepresentation, 30-2-702
  remedies, 30-2-721
  title, transfer, 30-2-403
Sales finance companies, 31-1-222
Sanitarians, fraud in obtaining license or fraudulent practices, 37-40-311
Secured transactions, fraudulent or improper liens, 30-9-432
Securities, See **SECURITIES AND SECURITIES REGULATION**
Senior citizens, Title 52, chapter 3, part 8, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Social workers, obtaining license by, 37-22-311, 37-22-411
Speech-language pathologists and audiologists
  fees, procurement, 37-15-102
  licenses, procurement, 37-15-321
State agencies, fraudulent claims to, 17-8-231, 45-7-210
State lands
  leases, cancellation, 77-6-210
  patents, cancellation, 77-2-345
State procurement provisions
  applicability, 18-4-131
  contracts, fraudulent acts by persons awarded, 18-4-242
State treasurer, 17-6-101
Statutes of fraud, See **STATUTES OF FRAUD**
Statutes of limitations, 27-2-203, 27-2-211, See **Tax fraud**, specific tax
Subdivisions
  out-of-state sale or lease of in-state subdivisions, 76-4-1116
  subdividers' registration, revocation, 76-4-1243
Tax fraud
  agreements with taxpayers, 15-1-211
  cement taxes, 15-59-114, 15-59-214
  centrally assessed property, returns, 15-23-116
  coal severance tax, 15-35-114
  corporation taxes, 15-31-521, 15-31-543, 15-31-544
  electric energy producers' license tax, 15-51-114
  gasoline license tax, 15-70-212, 15-70-226
  income tax, individual, 15-30-145, 15-30-179, 15-30-209, 15-30-307, 15-30-321, 15-30-323
  inheritance tax, 72-16-425, 72-16-458
  irrigation districts, defense to conclusiveness of tax or assessment, 85-7-2117
  lodging facility use tax, 15-65-113
  metal mines license tax, 15-37-116

FRAUD (Continued)
Tax fraud (Continued)
    micaceous mineral mines license tax, 15-37-212
    mines net proceeds tax, 15-23-506, 15-23-521
    mobile home declarations of destination, 15-24-204
    9-1-1 emergency telephone exchange access service fee, returns, 10-4-207
    nursing facility utilization fee, 15-60-207
    oil and gas
        net proceeds tax, 15-23-606, 15-23-610
        severance taxes, 15-36-122
    public contractor's gross receipts tax, 15-50-304
    resource indemnity trust and ground water assessment tax, 15-38-112
    special fuel license tax, 15-70-353, 15-70-355, 15-70-364, 15-70-365
    special fuel use tax, 15-70-333, 15-70-335
    telephone company license tax, 15-53-115
    tramway assessments, statement of gross receipts, 23-2-718
Teachers' retirement system
    creditable service, in establishment, 19-20-401
    falsification of records or statements, 19-20-105
Telecommunications services, fraudulent information, 69-2-205
Television districts, fraudulent exemption claims, 7-13-2529
Timeshare sales, 37-53-211, 37-53-307
    brokers or salespersons, effect of conviction for, 37-53-302
Town clerk, 7-6-212
Trademarks and service marks, fraudulent registration, 30-13-318, 30-13-332
Transfers, Title 31, chapter 2, part 3, See **FRAUDULENT TRANSFERS**
Underground storage tank installers, license applications, 75-11-211
Unemployment insurance
    benefits, 39-51-3201 — 39-51-3203
    board of labor appeals, findings of facts, 39-51-2410
Unfair trade practices, 30-14-142
Uniform Commercial Code, applicability of laws, 30-1-103
Uniform Fraudulent Transfers Act, Title 31, chapter 2, part 3, See **FRAUDULENT TRANSFERS**, generally
Utilities, fraudulent information, 69-2-205
Utilities, rural cooperative — fee to department of revenue, return, 35-18-510
Veterinarians, fraudulent practices, 37-18-311
Watercraft, personal — concerning, 23-2-512
Water rights, adjudication — objections to decrees allowed when, 85-2-233, 85-2-237
Water treatment plant operators, fraudulent practices, 37-42-321
Weights and measures, rules to eliminate perpetration of fraud, 30-12-202
Welfare, See **PUBLIC ASSISTANCE, Fraud**
Workers' compensation claims, See **WORKERS' COMPENSATION**
Wrongful discharge from employment, fraud by employer, 39-2-905

FRAUDULENT TRANSFERS
Applicability of laws, 31-2-201, 31-2-327
Assignment for benefit of creditors, applicability of laws, 31-2-201
Bona fide purchaser, 70-20-404
Cause of action, extinguishment, 31-2-341
Citation of Uniform Fraudulent Transfer Act, 31-2-326
Claim, 31-2-328; Title 25, chapter 20, M.R.Civ.P., Rule 18(b)
Construction, uniformity, 31-2-327
Creditor, 31-2-328, 31-2-333, 31-2-334, 31-2-339
Definitions, 31-2-328
Drainage districts, to defeat creation, 85-8-120
Future creditors, transfers fraudulent as to, 31-2-333

FRAUDULENT TRANSFERS (Continued)

Insolvency, 31-2-333, 31-2-329
Instruments void, 70-20-401, 70-20-402
Insurers, liquidation, 33-2-1351, 33-2-1352
Joinder of claims or remedies, Title 25, chapter 20, M.R.Civ.P., Rule 18(b)
Leases, 30-2A-308
Mortgages, renewal, 71-1-210
Obligation incurred when, 31-2-335
Parol evidence, 28-2-905, 70-20-202
Present creditors, transfers fraudulent as to, 31-2-333, 31-2-334
Provisions located, 70-20-405
Public assistance applicants or recipients, by, 53-2-601, 53-5-401
Purchaser in good faith, 31-2-335, 31-2-340, 70-20-404
Receivers, appointment, 27-20-102, 31-2-339
Remedies, 31-2-339; Title 25, chapter 20, M.R.Civ.P., Rule 18(b)
Revocation, power of, 70-20-403
Set aside, form, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 12
Short title, 31-2-326
Statutes located, 70-20-405
Supplementary provisions, 31-2-342
Transfer, 31-2-328, 31-2-335
Transferee — defenses, liability, and protection, 31-2-340
Transfers fraudulent as to present and future creditors or present creditors, 31-2-333, 31-2-334
Uniform application and construction, 31-2-327
Value, 31-2-330
When transfer made or obligation incurred, 31-2-335

FREEDOM OF CHOICE IN DENTURE SERVICES ACT OF 1984, Title 37, chapter 29
  See **DENTURITRY AND DENTURISTS**

FREEDOM OF INDIVIDUAL, Const., II, 3
  See **RIGHTS**, generally

FREEDOM OF INFORMATION, Const., II, 9
  See **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS; OPEN MEETINGS; PRIVACY; PUBLIC RECORDS**

FREEDOM OF SPEECH, 45-8-107; Const., II, 7

FRUIT AND FRUIT GROWERS, Title 80, chapter 3
  See **PRODUCE**

FUEL TAX AGREEMENT, INTERNATIONAL, 15-70-104, 15-70-121, 15-70-122, 15-70-302

FUNDS TRANSFERS
  See also **UNIFORM COMMERCIAL CODE, GENERAL PROVISIONS**
Acceptance, See **Payment order**
Account
  authorized account, 30-4A-105, 30-4A-209, 30-4A-210, 30-4A-502
  beneficiary
    acceptance of payment order, time of, 30-4A-209
    creditor process, 30-4A-502
    misdescription, 30-4A-207
    notice of credit to, 30-4A-209
    payment to, 30-4A-103, 30-4A-404, 30-4A-405, 30-4A-502
    withdrawals, 30-4A-209, 30-4A-405, 30-4A-406, 30-4A-502 — 30-4A-504
  creditor process, 30-4A-502
  customer, 30-4A-105, 30-4A-204, 30-4A-505

FUNDS TRANSFERS (Continued)
Account (Continued)
  receiving bank, credit — payment occurs when, 30-4A-403
  sender
    authorized account, 30-4A-209, 30-4A-210, 30-4A-502
    charging of items and payment orders, order in which charged, 30-4A-504
    creditor process, 30-4A-502
    erroneous payment order, debit, 30-4A-205, 30-4A-304
    payment from, debit, 30-4A-103, 30-4A-403
    withdrawable credit balance, 30-4A-209, 30-4A-210, 30-4A-403
  withdrawals from accounts, first-in-first-out, 30-4A-504
Actions
  beneficiary's bank, receipt of payment order — failure to notify beneficiary, 30-4A-404
  breach of agreement, claim for, 30-4A-305
Agent, 30-4A-103, 30-4A-202, 30-4A-206, 30-4A-212
Agreement
  breach, 30-4A-212, 30-4A-305
  cancellation or amendment of payment order, 30-4A-211
  choice of law, 30-4A-507
  damages, recovery — for, 30-4A-305
  enforcement of payment order, extent, 30-4A-203
  funds-transfer system, loss-sharing, 30-4A-405
  interest rate, 30-4A-506
  reasonable time fixed by, 30-4A-204
  receiving bank, acceptance of payment order — liability and duty, 30-4A-212
  recovery of payment from beneficiary, 30-4A-405
  rejection of payment order, means to be used, 30-4A-210
  retention of payment, extent, 30-4A-203
  security procedure, establishment, 30-4A-201
  settlement of obligations, setoff, 30-4A-403, 30-4A-405
  variance of law by
    authorized and verified payment orders, not permitted, 30-4A-202
    beneficiary, right to receive payment and damages not permitted and right to be notified permitted, 30-4A-404
    execution of payment order, liability for late or improper — not permitted, 30-4A-305
    originator, payment to beneficiary — rights of originator or beneficiary, 30-4A-406
    parties to funds transfer, rights and obligations, 30-4A-501
    sender, excused from obligation to pay receiving bank — not permitted, 30-4A-402
    unauthorized payment order, refund of payment — not permitted, 30-4A-204
    uniform commercial code generally, 30-1-102, 30-1-105
Amendment of payment order, See **Payment order**, cancellation or amendment
Applicability of laws, 30-1-105
  bank deposits and collections, item, 30-4-104, 30-4A-105
  electronic funds transfers, exclusion, 30-4A-108
  federal reserve regulations, 30-4A-107
  injunction or restraining order, 30-4A-503
  mistake and restitution, laws governing, 30-4A-205, 30-4A-207, 30-4A-209, 30-4A-211, 30-4A-303
  negotiable instrument law, nonapplicability, 30-3-124
  obligation, satisfaction, 30-4A-403
  variance by agreement, 30-1-102, 30-1-105
Attachment of account, 30-4A-502
Attorney fees, 30-4A-211, 30-4A-305, 30-4A-404
Banks, 30-1-201, 30-4A-105
  association of, 30-4A-105, 30-4A-501
  branch, 30-1-111, 30-1-201, 30-4A-105
  customer, as, 30-4A-105, See **Customer**

FUNDS TRANSFERS (Continued)
Banks (Continued)

- funds-transfer system, 30-4A-105, 30-4A-501, See **Funds-transfer system**
- parties to funds transfer, rights and obligations — rule governing, 30-4A-501
- payment order, See **Payment order**
- sender as, See **Sender**
- separate office, as separate bank, 30-4A-105

Beneficiary, 30-4A-103, 30-4A-105
- acceptance of payment order, time of, 30-4A-209
- account, See **Account**
- choice of law, 30-4A-507
- creditor process, 30-4A-502
- damages, notice and recovery, 30-4A-404
- debt, 30-4A-405, 30-4A-406, 30-4A-502
- delay in payment to, interest payment, 30-4A-305
- erroneous payment orders, 30-4A-205, 30-4A-211, 30-4A-303
- funds transfer, purpose, 30-4A-104
- funds-transfer system, notice of use — choice of law, 30-4A-507
- injunction, 30-4A-503
- misdescription, 30-4A-207, 30-4A-402
- multiple payments, separate payment orders, 30-4A-103
- nonpayment, 30-4A-404
- notices, 30-4A-404 — 30-4A-406, 30-4A-507
- obligations, choice of law, 30-4A-507
- originator, payment by, 30-4A-105, 30-4A-405, 30-4A-406, 30-4A-502
- overpayments, 30-4A-205, 30-4A-211
- payment to, 30-4A-105, 30-4A-404 — 30-4A-406, 30-4A-507, See also **Payment order**; **Payments**
- provisional payments, 30-4A-405
- receipt of payment order, notice, 30-4A-209, 30-4A-404, 30-4A-406
- receiving bank not, 30-4A-212
- refusal of bank to pay, 30-4A-404
- refusal of payment, 30-4A-406
- restraining order, 30-4A-503
- rights, 30-4A-207, 30-4A-404 — 30-4A-406, 30-4A-507
- varying law by agreement, 30-4A-404, 30-4A-406
- withdrawal of credit, right — notice, 30-4A-405
- wrong beneficiary, payment to, 30-4A-207, 30-4A-303

Beneficiary's bank, 30-4A-103, 30-4A-105
- acceptance of payment order, 30-4A-104, 30-4A-207, 30-4A-209, 30-4A-211, 30-4A-301, 30-4A-402, 30-4A-404 — 30-4A-406
- cancellation or amendment of payment order, 30-4A-211
- choice of law, 30-4A-507
- creditor process, 30-4A-502
- damages, notice of, 30-4A-404
- discharge of obligation, 30-4A-406
- execution of payment order not permitted, 30-4A-301
- federal reserve bank, payment order from, 30-4A-501
- injunction, 30-4A-503
- misdescription, 30-4A-207, 30-4A-208
- notice to beneficiary, obligation, 30-4A-404, 30-4A-406
- originator, payment to beneficiary, 30-4A-406
- payment date, 30-4A-401
- payment to beneficiary, 30-4A-105, 30-4A-404 — 30-4A-406, 30-4A-502
- provisional payments, 30-4A-405
- refusal to pay, 30-4A-404
- restraining order, 30-4A-503

FUNDS TRANSFERS (Continued)
Beneficiary's bank (Continued)

- rights and obligations, choice of law, 30-4A-507
- sender, obligation to pay receiving bank, 30-4A-402
- setoff, 30-4A-502

Breach, 30-4A-203, 30-4A-208, 30-4A-212, 30-4A-305
Cancellation of payment order, See **Payment order**
Choice of law, 30-1-105, 30-4A-507
Citation of Uniform Commercial Code, 30-1-101, 30-4A-101
Claims, 30-4A-305, 30-4A-404
Clearinghouse, 30-4-104, 30-4A-105, See **Funds-transfer system**
Completion, 30-4A-104, 30-4A-205, 30-4A-302, 30-4A-305
Conflict of laws, 30-1-105, 30-4A-501, 30-4A-507
Construction, 30-1-102, 30-1-104, 30-4A-105
Consumer transactions governed by federal law, exclusion, 30-4A-108
Creditor process, 30-4A-502
Customer, 30-4A-105

- acceptance of payment order, restriction, 30-4A-202
- account, 30-4A-105, 30-4A-204, 30-4A-505
- objection to debit of account, preclusion, 30-4A-505
- ordinary care, unauthorized payment order — determination, 30-4A-204
- refund of payment, 30-4A-204
- security procedure, agreement for, 30-4A-201, 30-4A-202
- "sender" defined to include, 30-4A-202
- signature, 30-4A-201
- unauthorized payment order, 30-4A-204
- unenforceability of payment order when, 30-4A-203

Damages, 30-4A-305, 30-4A-404
Definitions, 30-1-102, 30-1-201, 30-4A-103 — 30-4A-105

- code, 30-1-101
- creditor process, 30-4A-502
- executed, 30-4A-105, 30-4A-301
- execution date, 30-4A-105, 30-4A-301
- funds-transfer system rule, 30-4A-105, 30-4A-501
- payment by beneficiary's bank to beneficiary, 30-4A-105, 30-4A-405
- payment by originator to beneficiary, 30-4A-105, 30-4A-406
- payment by sender to receiving bank, 30-4A-105, 30-4A-403
- payment date, 30-4A-105, 30-4A-401
- security procedure, 30-4A-105, 30-4A-201
- sender, 30-4A-103, 30-4A-105, 30-4A-202

Deposit account, See **Account**, authorized account
Enforcement, 30-4A-203, 30-4A-204, 30-4A-405
Evidence

- breach of security procedure, information facilitating, 30-4A-203
- burden of establishing, 30-1-201, 30-4A-105
- misdescription, 30-4A-207, 30-4A-208
- "prove" defined, 30-4A-105
- unauthorized payment orders, proof concerning, 30-4A-203

Execution and execution date, See **Payment order**
Federal reserve banks, 30-4A-107, 30-4A-206, 30-4A-403, 30-4A-501, 30-4A-506
Federal reserve regulations, 30-4A-107
Funds-transfer business day, 30-4A-105, 30-4A-106, 30-4A-209, 30-4A-211, 30-4A-404
Funds-transfer system, 30-4A-105

- agent, as, 30-4A-206
- choice of law, 30-4A-507
- designation, instructions concerning, 30-4A-302
- federal reserve banks, 30-4A-206

FUNDS TRANSFERS (Continued)
Funds-transfer system (Continued)

- loss-sharing agreement, 30-4A-405
- multilateral settlements, 30-4A-403, 30-4A-405
- participating banks, rights and obligations, 30-4A-501, 30-4A-507
- payment order transmitted to, 30-4A-103
- settlement of obligation, 30-4A-403
- transmission of payment order, 30-4A-206, 30-4A-403, 30-4A-501, 30-4A-506, 30-4A-507

Funds-transfer system rule, 30-4A-105, 30-4A-501
- beneficiary's rights, varying by, 30-4A-404
- cancellation or amendment of payment order, 30-4A-211
- choice of law, 30-4A-507
- conflict of laws, 30-4A-501
- interest rate, 30-4A-506
- provisional payments, 30-4A-405
- setoff, 30-4A-403
- settlement of obligations, 30-4A-403

Garnishment of account, 30-4A-502
Good faith, 30-1-201, 30-1-203, 30-4A-105, 30-4A-202, 30-4A-302
Identification
- beneficiary, misdescription, 30-4A-207
- beneficiary's bank, 30-4A-103, 30-4A-208
- erroneous, 30-4A-207, 30-4A-208
- intermediary bank, misdescription, 30-4A-208
- security procedure, words or numbers, 30-4A-201
- sender, 30-4A-202, 30-4A-203, 30-4A-505

Injunction, 30-4A-503
Instructions by
- originator, 30-4A-302
- sender, See **Payment order**

Interest
- failure to execute order, losses — liability, 30-4A-305
- improper execution of order, for period of delay caused by, 30-4A-305
- rate, 30-4A-506
- receipt of payment order, from failure to give notice to beneficiary, 30-4A-404
- refundable amount of payment, on, 30-4A-204, 30-4A-304, 30-4A-402
- rejected payment order, 30-4A-209, 30-4A-210

Intermediary bank, 30-4A-104, 30-4A-105
- federal reserve bank as, 30-4A-501
- instructions to, 30-4A-302
- misdescription, 30-4A-208
- payment order carried out by, 30-4A-104, 30-4A-302, See **Payment order**
- refund of payment, 30-4A-402
- selection, 30-4A-302, 30-4A-305, 30-4A-402

Interpretation generally, 30-1-102, 30-4A-105
Levy of account, 30-4A-502
Liability, 30-4A-205, 30-4A-211, 30-4A-212, 30-4A-305
Lien, notice of — on account, 30-4A-502
Means of, 30-4A-302
Misdescription, 30-4A-207, 30-4A-208, 30-4A-402
Mistake and restitution, laws governing, 30-4A-205, 30-4A-207, 30-4A-209, 30-4A-211, 30-4A-303
Mistake by bank or sender, 30-4A-211, 30-4A-303
Multilateral settlements, 30-4A-403, 30-4A-405
Noncompletion, 30-4A-305, 30-4A-402, 30-4A-405, 30-4A-506
Notice
- acceptance of payment order, agreement restricting, 30-4A-202

FUNDS TRANSFERS (Continued)
Notice (Continued)

- account of beneficiary, credit to, 30-4A-209, 30-4A-405
- cancellation or amendment of payment order, communication for, 30-4A-211
- damages, of, 30-4A-404
- erroneous payment orders, 30-4A-205, 30-4A-304
- executed payment order, erroneous, 30-4A-304
- funds-transfer system rule varying right of beneficiary, to beneficiary, 30-4A-404
- funds-transfer system, use in transfer and choice of law, 30-4A-507
- funds with respect to order may not be withdrawn or used, 30-4A-209
- lien, of — creditor process, 30-4A-502
- misdescription
  - beneficiary, 30-4A-207
  - intermediary or beneficiary's bank, 30-4A-208
- objection to debit of customer's account, 30-4A-505
- provisional payment, 30-4A-405
- receipt of, 30-1-201, 30-4A-106
- receipt of payment order, 30-4A-209, 30-4A-404, 30-4A-406, 30-4A-505
- refusal of payment, beneficiary's, 30-4A-406
- rejection of payment order, 30-4A-209, 30-4A-210
- right of beneficiary to, 30-4A-404
- unauthorized payment order, 30-4A-204

Obligation
- acceptance, nullification — effect, 30-4A-211, 30-4A-405
- aggregate balance, 30-4A-403
- beneficiary's bank, to pay and give notice to beneficiary, 30-4A-404, 30-4A-405
- breach, 30-4A-208, 30-4A-305
- choice of law, 30-4A-507
- discharge, 30-4A-406
- execution of payment order, 30-4A-302
- good faith, 30-1-203
- misdescription of intermediary or beneficiary's bank, upon, 30-4A-208
- parties, 30-4A-501, 30-4A-507
- payment orders, authorized and verified, 30-4A-202
- refund of payment, 30-4A-204
- satisfaction, 30-4A-403, 30-4A-405, 30-4A-406
- sender, to pay receiving bank, 30-4A-402, 30-4A-403, 30-4A-405
- setoff, 30-4A-403
- settlement, 30-4-211, 30-4A-403, 30-4A-405

Order in charging to or withdrawing from account, 30-4A-504
Ordinary care
- erroneous payment order, discovery, 30-4A-205, 30-4A-304
- intermediary bank, selection, 30-4A-302
- unauthorized payment order, determination, 30-4A-204

Originator, 30-4A-104, 30-4A-105
- beneficiary, payment to, 30-4A-105, 30-4A-406, 30-4A-502, 30-4A-507
- choice of law, 30-4A-507
- delay in payment to beneficiary, interest payment — liability, 30-4A-305
- erroneous payment orders, 30-4A-211
- improper execution, liability, 30-4A-305
- instruction by, 30-4A-302, 30-4A-305
- misdescription of beneficiary, 30-4A-207
- overpayments, 30-4A-211
- payment order, See **Payment order**
- provisional payment, notice, 30-4A-405
- refusal of payment, beneficiary — notice, 30-4A-406
- rights, 30-4A-406

FUNDS TRANSFERS (Continued)

Originator's bank, 30-4A-104, 30-4A-105
  acceptance of payment order, 30-4A-209
  injunction or restraining order, 30-4A-503
  intermediary bank, issuance of payment order to, 30-4A-302
  misdescription of beneficiary, recovery of payments made through, 30-4A-207
  payment order issued by, 30-4A-104, 30-4A-302, 30-4A-406, See **Payment order**
  provisional payments, 30-4A-405
  subrogation, 30-4A-406
Overpayments, 30-4A-205, 30-4A-211, 30-4A-303
Parties
  choice of law, 30-4A-507
  receiving bank, duties, 30-4A-212
  rights and obligations, 30-4A-501, 30-4A-507
Payment order, 30-4A-103, 30-4A-105
  acceptance, 30-4A-105, 30-4A-209
    beneficiary, 30-4A-207
    beneficiary's bank, 30-4A-104, 30-4A-301, 30-4A-402, 30-4A-404, 30-4A-406
    canceled order, nonacceptance, 30-4A-211
    cancellation or amendment, 30-4A-211
    compliance with security procedure, 30-4A-202
    creditor process, 30-4A-502
    erroneous payment order, 30-4A-205
    good faith, 30-4A-202
    intermediary bank, 30-4A-302
    liability based on, 30-4A-212
    nullification, 30-4A-211, 30-4A-405
    originator's bank, order issued to, 30-4A-209
    rejection precludes, 30-4A-210
    restriction, 30-4A-202
    sender, obligation to pay receiving bank, 30-4A-402
    time of, 30-4A-209, 30-4A-302
    unauthorized payment order, 30-4A-204
  account, See **Account**
  additional issued when, 30-4A-303
  authorized account, 30-4A-105, See **Account**
  authorized order, 30-4A-202, 30-4A-203
  cancellation or amendment
    amendment considered cancellation and reissuance, 30-4A-211
    authorized orders, 30-4A-202
    communication for, 30-4A-106, 30-4A-201, 30-4A-211
    conforming, by receiving bank, 30-4A-211
    effective when, 30-4A-211
    erroneous orders, 30-4A-205
    funds-transfer business day, 30-4A-105
    liability, 30-4A-211
    operation of law, by, 30-4A-211
    originator's order, 30-4A-209
    transmission, 30-4A-206
    unaccepted order, 30-4A-210, 30-4A-211
    verified orders, 30-4A-202, 30-4A-203
  charges of receiving bank, deduction, 30-4A-302, 30-4A-303, 30-4A-406
  choice of law, 30-4A-507
  creditor process, 30-4A-502
  customer, See **Customer**
  duplication, 30-4A-205, 30-4A-211, 30-4A-303

FUNDS TRANSFERS (Continued)
Payment order (Continued)

- duty of receiving bank, 30-4A-212, 30-4A-302
- effective, 30-4A-202 — 30-4A-204
- enforcement, extent — limitation, 30-4A-203
- erroneous, 30-4A-205, 30-4A-303, 30-4A-304, 30-4A-402
- errors, 30-4A-201, 30-4A-303
- "executed" defined, 30-4A-105, 30-4A-301
- execution
  - acceptance upon, 30-4A-209, 30-4A-302
  - beneficiary's bank, by — not permitted, 30-4A-301
  - breach of obligation, 30-4A-208, 30-4A-305
  - erroneous, 30-4A-303, 30-4A-304
  - failure to execute, 30-4A-210, 30-4A-305
  - improper, liability, 30-4A-305
  - injunction or restraining order, 30-4A-503
  - liability, 30-4A-305
  - misdescription of intermediary or beneficiary's bank, 30-4A-208
  - obligation of receiving bank, 30-4A-208, 30-4A-302, 30-4A-305
  - transmission, by, 30-4A-302
  - unauthorized order, 30-4A-211
- execution date, 30-4A-105, 30-4A-301
  - acceptance of order, 30-4A-209
  - funds-transfer business day, not falling on, 30-4A-106
  - payment date as, 30-4A-301
  - rejection of order, 30-4A-210
  - sender, obligation to pay receiving bank, 30-4A-402
  - unaccepted order, cancellation, 30-4A-211
- federal reserve bank, 30-4A-501
- funds-transfer business day, 30-4A-105, See **Funds-transfer business day**
- injunction, 30-4A-503
- instructions of sender
  - acceptance of payment order, restriction, 30-4A-202
  - charges for services and expenses of receiving bank, deduction from payment order, 30-4A-303
  - condition of payment, 30-4A-103
  - execution date, determination, 30-4A-301
  - funds-transfer system, designation, 30-4A-302
  - intermediary bank, designation, 30-4A-302, 30-4A-402
  - multiple payments, separate payment order, 30-4A-103
  - payment date, 30-4A-301, 30-4A-302, 30-4A-401
  - payment order, 30-4A-103
  - time of payment, 30-4A-103
  - transmission, 30-4A-103, 30-4A-302
- interest rate, 30-4A-506, See also **Interest**
- intermediary bank, See **Intermediary bank**
- issuance, 30-4A-103 — 30-4A-105, 30-4A-301 — 30-4A-303, 30-4A-305, 30-4A-402, 30-4A-503, 30-4A-506; Title 30, chapter 4A, part 2
- item, 30-4-104, 30-4A-105
- liability of receiving bank, 30-4A-212, 30-4A-305
- misdescription, 30-4A-207, 30-4A-208, 30-4A-402
- mistake by bank or sender, 30-4A-211, 30-4A-303
- negotiable instrument provisions, nonapplicability, 30-3-124
- obligations, 30-4A-501, See also **Obligation**
- originator, 30-4A-104, 30-4A-406, See **Originator**
- payment, See **Payments**
- payment date, 30-4A-105, 30-4A-401

FUNDS TRANSFERS (Continued)
Payment order (Continued)
  payment date (Continued)
    acceptance of order, 30-4A-209, 30-4A-404
    beneficiary's bank, obligation to pay beneficiary, 30-4A-404
    execution date, as, 30-4A-301
    funds-transfer business day, not falling on, 30-4A-106
    instruction by sender, 30-4A-301, 30-4A-302, 30-4A-401
    rejection of order, 30-4A-209
    sender, obligation to pay receiving bank, 30-4A-402
    unaccepted order, cancellation, 30-4A-211
  processing, 30-4A-105, 30-4A-106, 30-4A-507
  receipt, 30-4A-105, 30-4A-106, 30-4A-209, 30-4A-404, 30-4A-406, 30-4A-505
  rejection, 30-4A-209, 30-4A-210, 30-4A-502
  restraining order, 30-4A-503
  revocation, 30-4A-211
  rights, 30-4A-501, See also **Rights**
  security procedure, See **Security procedure**
  sender, See **Sender**
  separate orders, multiple payments, 30-4A-103
  signature, 30-4A-201
  terms, 30-4A-206, 30-4A-305
  transmission, See **Transmission**
  unaccepted, 30-4A-210 — 30-4A-212
  unauthorized, 30-4A-202, 30-4A-204, 30-4A-211
  unenforceability when, 30-4A-203, 30-4A-204
  verification, 30-4A-201, 30-4A-202
  verified order, 30-4A-202, 30-4A-203
  wrong amount or beneficiary, 30-4A-207, 30-4A-303
Payments
  authorized account, 30-4A-105, See **Account**
  beneficiary, See **Beneficiary**
  beneficiary's bank, to beneficiary, 30-4A-105, 30-4A-404, 30-4A-405
  choice of law, 30-4A-507
  conditions, effect, 30-4A-103, 30-4A-405
  date of, See **Payment order**, payment date
  delay, 30-4A-305
  enforcement, 30-4A-204
  excused when, 30-4A-402, 30-4A-405
  injunction, 30-4A-503
  late, 30-4A-305
  misdescription of beneficiary, 30-4A-207
  multiple, separate orders, 30-4A-103
  nonpayment, 30-4A-404
  objection by customer, 30-4A-505
  originator, to beneficiary, 30-4A-105, 30-4A-406, 30-4A-502, 30-4A-507
  overpayments, 30-4A-205, 30-4A-211, 30-4A-303
  provisional, 30-4A-405
  refund, 30-4A-204, 30-4A-304, 30-4A-402, 30-4A-405, 30-4A-506
  refusal, 30-4A-404
  rejection of payment order, 30-4A-210
  restraining order, 30-4A-503
  retention, 30-4A-203, 30-4A-303, 30-4A-402, 30-4A-505
  senders
    order, 30-4A-209
    receiving bank, to, 30-4A-105, 30-4A-402, 30-4A-403
  suspends, 30-4-104, 30-4A-105, 30-4A-210, 30-4A-402
  underpayment, 30-4A-303

FUNDS TRANSFERS (Continued)

Prove, See **Evidence**
Purpose, 30-4A-104
Receiving bank, 30-4A-103, 30-4A-105
  acceptance of payment order, 30-4A-209, 30-4A-212, 30-4A-302, 30-4A-402, See also **Payment order**
  account, credit — payment occurs when, 30-4A-403
  agent of sender, bank not, 30-4A-212
  beneficiary of payment order, bank not, 30-4A-212
  breach of obligation, 30-4A-208, 30-4A-305
  charges for services and expenses, 30-4A-302, 30-4A-303, 30-4A-406
  choice of law, 30-4A-507
  creditor process, service on, 30-4A-502
  cutoff time, 30-4A-106
  enforcement of payment order, agreement, 30-4A-203
  erroneous payment orders, 30-4A-205
  execution date and execution of payment order, See **Payment order**
  funds-transfer business day, 30-4A-105, See **Funds-transfer business day**
  instructions of sender, See **Payment order**
  interest rate charged by, 30-4A-506, See also **Interest**
  intermediary bank, 30-4A-104, See **Intermediary bank**
  issuance of payment order, 30-4A-302, See also **Payment order**
  misdescription of intermediary or beneficiary's bank, 30-4A-208
  ordinary care, intermediary bank — selection, 30-4A-302
  originator's bank, 30-4A-104, See **Originator's bank**
  party to funds transfer, duty, 30-4A-212
  payment date and payment order, See **Payment order**
  refund of payment, 30-4A-204, 30-4A-402, 30-4A-506
  reimbursement, 30-4A-103
  rejection of payment order, 30-4A-210, See **Payment order**
  retention of payment, 30-4A-203, 30-4A-505
  rights and obligations, choice of law, 30-4A-507
  security procedure, agreement for, 30-4A-201
  sender
    instructions, See **Payment order**, instructions of sender
    payment by, 30-4A-105, 30-4A-402, 30-4A-403
  unaccepted payment order, liability and duty, 30-4A-212
Recovery
  attorney fees, 30-4A-305, 30-4A-404
  cancellation or amendment of payment order, payment made, 30-4A-211
  damages, 30-4A-305, 30-4A-404
  erroneous payment orders, 30-4A-205, 30-4A-211, 30-4A-303, 30-4A-304
  interest on refund of payment, 30-4A-204
  misdescription of beneficiary, payments received through, 30-4A-207
  originator's payment order, early execution or payment and subsequent cancellation, 30-4A-209
  payment, from beneficiary, 30-4A-405
  overpayment, 30-4A-205, 30-4A-211, 30-4A-303
Remedies, liberal administration, 30-1-106
Restraining order, 30-4A-503
Rights
  acceptance, nullification — effect, 30-4A-211, 30-4A-405
  beneficiary, 30-4A-207, 30-4A-404 — 30-4A-406
  choice of law, 30-4A-507
  creditor process, 30-4A-502
  misdescription of intermediary or beneficiary's bank, upon, 30-4A-208

FUNDS TRANSFERS (Continued)
Rights (Continued)

  originator, 30-4A-406
  parties, 30-4A-501, 30-4A-507
  payment orders, authorized and verified, 30-4A-202
  recovery of payment from beneficiary, 30-4A-405
  sender, excused from obligation to pay receiving bank or receive refund, 30-4A-402
  setoff, 30-4A-403
  subrogation, 30-4A-402
Security procedure, 30-4A-105, 30-4A-201
  agreement for, 30-4A-201, 30-4A-202
  alternative procedure, 30-4A-202
  breach, 30-4A-203
  cancellation or amendment communication, verification, 30-4A-211
  commercial reasonableness, 30-4A-202
  erroneous payment orders, 30-4A-205
  requirements, 30-4A-201
  signature comparison, 30-4A-201
  unenforceability of payment order when, 30-4A-203
Sender, 30-4A-103, 30-4A-105, 30-4A-202
  account, See **Account**
  agent of, receiving bank not, 30-4A-212
  authorized order, 30-4A-202, 30-4A-203, See also **Payment order**
  cancellation or amendment of payment order, 30-4A-211
  choice of law, 30-4A-507
  creditor process, 30-4A-502
  cutoff time, 30-4A-106
  death, effect, 30-4A-211
  erroneous payment orders, 30-4A-205, 30-4A-303, 30-4A-304
  execution date, determination, 30-4A-301
  funds-transfer system as agent, 30-4A-206
  incapacity, effect, 30-4A-211
  instructions by, See **Payment order**
  interest rate, agreement, 30-4A-506
  liability, 30-4A-205
  misdescription of intermediary or beneficiary's bank, 30-4A-208
  mistake, cancellation or amendment of payment order, 30-4A-211
  ordinary care, erroneous payment order — discovery, 30-4A-205, 30-4A-304
  originator, 30-4A-104, See **Originator**
  overpayment, 30-4A-205
  payment of order, acceptance on, 30-4A-209
  receiving bank
    payment to, 30-4A-105, 30-4A-402, 30-4A-403, 30-4A-405
    reimbursement, 30-4A-103
  rejection of payment order, means to be used, 30-4A-210
  rights and obligations, choice of law, 30-4A-507
Sequestration of account, 30-4A-502
Service of process, 30-4A-502
Setoff, 30-4A-403, 30-4A-502
Settlement of obligations, 30-4-211, 30-4A-403, 30-4A-405
Short titles, 30-1-101, 30-4A-101
Subject matter, 30-4A-102
Subrogation, 30-4A-402, 30-4A-406
Tender of settlement, time of settlement, 30-4-211
Third-party communication system, transmission through, 30-4A-103, 30-4A-105, 30-4A-206

FUNDS TRANSFERS (Continued)

Transmission
  breach of security procedure, 30-4A-203
  instruction of sender, 30-4A-103
  payment order
    cancellation or amendment, 30-4A-105, 30-4A-201, 30-4A-211
    erroneous, 30-4A-205
    errors, 30-4A-201, 30-4A-205
    funds-transfer business day, 30-4A-105
    funds-transfer system, 30-4A-206, 30-4A-403, 30-4A-501, 30-4A-506, 30-4A-507
    means of transmission, 30-4A-302
    rejection, 30-4A-210
    rule governing, 30-4A-501
    third-party communication system, 30-4A-206
    time for, 30-4A-302
Variance of law by agreement, See **Agreement**

FUNERALS AND FUNERAL EXPENSES, Title 37, chapter 19
  See **MORTICIANS AND FUNERAL DIRECTORS**

G

GAMBLING
Administration of provisions, 23-5-115, 23-5-715
  funding, 23-5-110, 23-5-153, 23-5-306, 23-5-308, 23-5-317, 23-5-324, 23-5-407, 23-5-424, 23-5-502, 23-5-612, 23-5-625, 23-5-706
Administrative fees, 23-5-152, 23-5-801, 23-5-805
Administrative proceedings, evidence in, 23-5-138
Administrative rules, 2-15-2021
Advertising, 23-5-154, 23-5-409
Age requirements, 23-5-112
Amusement games, 23-5-112; Title 23, chapter 6, part 1
Animal fighting exhibitions unlawful, 45-8-210
Animals, races between, 23-5-502
Antique slot machines, possession and sale, 23-5-153
Applicability of provisions, 23-5-111
Authorization, Const., III, 9
Betting prohibited when, 23-4-301
Bingo, See **Live bingo and keno games**; **Video gambling machines**
Bird fighting exhibitions unlawful, 45-8-210
Calcutta pools, 23-5-221 — 23-5-224
Card games
  illegal gambling enterprise, 23-5-112
  live, See **Live card games**
Carnival games, 23-5-112; Title 23, chapter 6, part 1
Cash basis, on — required, 23-5-157
Casino nights, 23-5-701, 23-5-702, 23-5-705, 23-5-706, 23-5-710, 23-5-711, 23-5-715
Cease and desist orders, 23-5-136, 23-5-137
Charges — assessment, collection, and disbursement, 23-5-115
Charities
  bingo and keno games, live — tax and permit fee exemption when, 23-5-406
  calcutta pools, proceeds contributed to, 23-5-221
  casino nights, proceeds — use, 23-5-710
  "nonprofit organization" defined, 23-5-112
  public gambling, 23-5-112

GAMBLING (Continued)
Charities (Continued)

- raffles, minors — participation, 23-5-158
- sports pool values, retention of portion when, 23-5-503

Checks, use, 23-5-112, 23-5-157
Cities and towns, See **Local governments**
Cockfights unlawful, 45-8-210
Compulsive gamblers, assistance programs, 23-5-110
Confidentiality of information, 23-5-115, 23-5-116, 23-5-161
Confiscation of money or property, 23-5-113, 23-5-123
Conservators appointed when, 23-5-136
Constitutional provision, 23-5-111; Const., III, 9
Construction of provisions, 23-5-111, 23-5-224
Control, funding, 23-5-110
Counterfeiting documents, 23-5-155
Counties, See **Local governments**
Craps games, 23-5-112, 23-5-160
Credit cards, use, 23-5-112, 23-5-157
Criminal liabilities, 23-5-161, 23-5-162
Dealers, 23-5-112

- licenses, 23-5-308, See also **Licenses or permits**
- live card games, 23-5-308, 23-5-309, 23-5-317

Debts created by losses at illegal gambling, 23-5-131, 23-5-135, 23-5-157
Decals, counterfeiting or defacing, 23-5-155
Defacing documents, 23-5-155
Definitions, 23-5-112, 23-5-118, 23-5-221, 23-5-318, 23-5-406, 23-5-501, 23-5-602, 23-5-701, 23-5-801, 23-7-103
Dice games, 23-5-112, 23-5-160
Disclosure of information, 23-5-115, 23-5-116
Distraint, warrant for, 23-5-136
Distributors, 23-5-112, 23-5-128, 23-5-625, 23-5-631
Dog fighting exhibitions unlawful, 45-8-210
Draw poker machines, See **Video gambling machines**
Electronic, See **Live bingo and keno games; Video gambling machines**
Equipment, gambling, See also **Gambling devices; Illegal gambling devices**

- bingo and keno, electronic, 23-5-424 — 23-5-426
- distributors, 23-5-112
- video gambling machine manufacturers or distributors, 23-5-625, 23-5-631

Fantasy sports leagues, 23-5-801, 23-5-802, 23-5-805, 23-5-806, 23-5-810
Fees

- administrative, 23-5-152, 23-5-801, 23-5-805
- assessment, collection, and disbursement, 23-5-115, 23-5-306, 23-5-308
- fantasy sports leagues, 23-5-801, 23-5-805
- licenses or permits, 23-5-128, 23-5-129, 23-5-152, 23-5-153, 23-5-177, 23-5-306, 23-5-308, 23-5-317, 23-5-324, 23-5-406, 23-5-407, 23-5-424, 23-5-612, 23-5-625
- live card game tournaments, entry fees, 23-5-317
- local governments, authority, 23-5-171
- revenue from, use, 2-15-2021, 23-5-110
- video gambling machine manufacturers, examination and approval of new machines or equipment — costs, 23-5-631
- video gambling machine transfer processing fee, 23-5-612

Fines, 23-5-123, 23-5-161, 23-5-162
Fishing derbies, 23-5-165
Forfeitures, disposition, 23-5-113, 23-5-123
Fraud, obtaining anything of value by — unlawful, 23-5-156
Gambling activities

- amusement games, prohibited, 23-6-106

GAMBLING (Continued)
Gambling activities (Continued)

- cash basis required, 23-5-157
- conflict of interest, 23-5-114
- defined, 23-5-112
- illegal, 23-5-110, 23-5-176
- minors, participation unlawful and exception, 23-5-158

Gambling devices, 23-5-112, See also **Illegal gambling devices**
- amusement games, prohibited, 23-6-106
- contracts for manufacture, lease, or sale — conflict of interest, 23-5-114
- description on licenses, 23-5-177
- lien on, when, 23-5-136
- operators, See **Operators of gambling establishments**
- removal from premises, 23-5-177
- slot machines, antique, 23-5-153
- video, See **Video gambling machines**

Gambling enterprises, 23-5-112
- amusement games, prohibited, 23-6-106
- illegal, 23-5-112, 23-5-131, 23-5-156
- operators, See **Operators of gambling establishments**

Gaming Advisory Council, 2-15-2021, 5-11-210
Gift enterprises, 7-1-112, 23-5-112, 23-5-151; Const., III, 9, See also **Raffles**
Gross proceeds, 23-5-112, 23-5-409
Hearings, 2-15-2021, 23-5-136 — 23-5-138
Highway patrol officers, cause for disciplinary action, 44-1-612
Horseraces, Title 23, chapter 4
Hours of play, 23-5-307, 23-5-408, 23-5-620
Identification numbers or devices, counterfeiting or defacing, 23-5-155
Illegal activities, 23-5-110, 23-5-176, 44-1-612, See also **Gambling activities**
Illegal gambling devices, 23-5-112, See also **Gambling devices**
- amusement games, prohibited, 23-6-106
- importation allowed when, 23-5-152
- losses at, civil action to recover, 23-5-131
- manufacture or possession for export, license required, 23-5-152
- operation, obtaining anything of value by — unlawful, 23-5-156
- possession unlawful and exceptions, 23-5-152
- soliciting or advertising for participation in use prohibited, 23-5-154

Illegal gambling enterprises, 23-5-112
- amusement games, prohibited, 23-6-106
- losses at, civil action to recover, 23-5-131
- operation, 23-5-152, 23-5-156
- soliciting or advertising participation prohibited, 23-5-154

Implementation of provisions, 23-5-115
Initiative to authorize, Const., III, 9
Injunction, 23-5-136
Inspections
- live keno or bingo equipment, 23-5-112
- records, 23-5-115, 23-5-409, 23-5-502, 23-5-503, 23-5-610, 23-5-628
- video gambling machines, 23-5-628, 23-5-631

Insurance policies executed by, void, 33-15-207
Investigations, 23-5-113, 23-5-114, 23-5-406, 23-5-610, 44-2-115
I.O.U.s prohibited, 23-5-157
Judicial review of orders, 23-5-136, 23-5-137
Keno, See **Live bingo and keno games; Video gambling machines**
Licenses or permits, 23-5-112
- administrative fee, 23-5-152
- antique slot machine sales, 23-5-153

GAMBLING (Continued)
Licenses or permits (Continued)

- applicant, 23-5-112, 23-5-176
- application, 23-5-112, 23-5-115, 23-5-116, 23-5-128, 23-5-129, 23-5-176, 23-5-177, 23-5-317, 23-5-424, 23-5-611, 23-5-625, 23-5-705
- approval as privilege, 23-5-110
- assignment prohibited, 23-5-110, 23-5-159, 23-5-706
- card room contractors, 23-5-324
- casino night, 23-5-705, 23-5-706
- charitable organizations, 23-5-406, 23-5-413
- conditions placed on, 23-5-115
- conviction for violations, effect, 23-5-161
- counterfeiting, 23-5-155
- dealers, 23-5-308
- defacing, 23-5-155
- denial, 23-5-115, 23-5-176
- disclosure of information, 23-5-116
- discrimination in issuance prohibited, 49-3-204
- display, 23-5-177, 23-5-308
- distributors, 23-5-128
- expiration, 23-5-128, 23-5-129, 23-5-407, 23-5-424, 23-5-612, 23-5-625
- fees, 2-15-2021, 23-5-128, 23-5-129, 23-5-152, 23-5-153, 23-5-177, 23-5-306, 23-5-308, 23-5-317, 23-5-324, 23-5-406, 23-5-407, 23-5-424, 23-5-612, 23-5-625, 23-5-705, 23-5-706
- gambling devices, 23-5-177
- information on, 23-5-177
- issuance, 23-5-110, 23-5-115, 23-5-161, 23-5-162, 23-5-176, 23-5-306, 23-5-308, 23-5-321, 23-5-612, 23-5-625, 23-5-706
- lease prohibited, 23-5-110, 23-5-159
- licensee, 23-5-112, 23-5-115, 23-5-136
- live bingo and keno games, 23-5-406, 23-5-407, 23-5-424
- live card game dealers, 23-5-308
- live card game tables, 23-5-177, 23-5-306, 23-5-317
- live card game tournaments, 23-5-317
- local governments, authority, 23-5-171, 23-5-321
- long-term care facilities, bingo and keno, 23-5-406
- manufacture of illegal gambling devices for export, for, 23-5-152
- manufacturer of video gambling machines, 23-5-625, 23-5-631
- manufacturer of electronic bingo or keno equipment, 23-5-424
- nonprofit organizations, raffles, 23-5-413
- number on, 23-5-177
- number issued, restriction by local governments prohibited, 23-5-171
- operators of gambling establishments, 23-5-117, 23-5-177, 23-5-306
- persons involved with licensing, prohibited activities, 23-5-114
- procedures, 23-5-115, 23-5-176, 23-5-308
- qualifications, 23-5-176
- raffles, 23-5-413
- records, 23-5-115
- religious corporations sole, raffles, 23-5-413
- renewal, 23-5-308
- retirement homes, bingo and keno, 23-5-406
- revocation, 23-5-110, 23-5-115, 23-5-136, 23-5-161, 23-5-162, 23-5-176, 23-5-406
- route operators, 23-5-129
- sale prohibited, 23-5-110, 23-5-159
- suspension, 23-5-115, 23-5-136, 23-5-406
- temporary, 23-5-308
- transfer prohibited, 23-5-110, 23-5-159, 23-5-706

GAMBLING (Continued)
Licenses or permits (Continued)

- unsuitability of applicant, 23-5-176
- video gambling machines, 23-5-603, 23-5-611, 23-5-612, 23-5-616, 23-5-625, 23-5-631

Lien on premises and gambling devices when, 23-5-136
Live bingo and keno games
- advertising, 23-5-409
- authorization, 23-5-405
- "authorized equipment" defined, 23-5-112
- callers, 23-5-112, 23-5-412
- cards, 23-5-112, 23-5-412
- casino nights, 23-5-702, 23-5-711
- definitions, 23-5-112
- electronic equipment, 23-5-424 — 23-5-426
- gross proceeds, tax on, 23-5-409
- hours of play and restriction, 23-5-408
- inspection of records, 23-5-409
- lottery, state — prohibitions, 23-7-103
- operators, 23-5-112, 23-5-177, 23-5-407
- participation in, 23-5-405, 23-5-414
- penalty for violations, 23-5-431
- permits, 23-5-406, 23-5-407
- prizes, 23-5-412
- records, 23-5-409
- restrictions, 23-5-414
- senior citizen centers, 23-5-410
- tax, 23-5-406, 23-5-409
- variation of keno game, 23-5-412

Live card games
- authorized games, 23-5-311
- card room contractor's license, 23-5-324
- casino nights, 23-5-702, 23-5-711
- conduct, 23-5-309
- dealers, 23-5-112, 23-5-308, 23-5-309, 23-5-317
- definitions, 23-5-112
- description on licenses, 23-5-177
- enumeration, 23-5-311
- licenses, 23-5-308
- lottery, state — prohibitions, 23-7-103
- operators, 23-5-112, 23-5-177, 23-5-306, 23-5-313, 23-5-324
- penalty for violations, 23-5-331
- permits, 23-5-177, 23-5-306, 23-5-321
- play permitted when, 23-5-309, 23-5-311
- prizes, 23-5-312
- rake-off, 23-5-313
- removal from premises, 23-5-177
- rules of play, requirements and posting, 23-5-313, 23-5-317
- senior citizen centers, 23-5-112, 23-5-310
- tables, 23-5-112, 23-5-306, 23-5-307, 23-5-309 — 23-5-311, 23-5-317
- tournaments, 23-5-112, 23-5-317

Local governments
- authority, 7-1-112, 23-5-171, 23-5-413
- live bingo and keno games, 23-5-408, 23-5-409
- live card game tables, 23-5-306, 23-5-307, 23-5-321
- video gambling machines, 23-5-610, 23-5-612, 23-5-620

Losses at illegal gambling — civil action to recover, 23-5-131, 23-5-135

GAMBLING (Continued)

Lotteries generally, 23-5-112
  local government powers, 7-1-112
  prohibited unless authorized by law or by the people, 23-5-151; Const., III, 9
  raffles, 23-5-112, See **Raffles**
  state lottery, prohibitions, 23-7-103, See **LOTTERY, STATE**
Lottery, state, Title 23, chapter 7
Manufacturer-distributors, 23-5-153
Manufacturers, 23-5-112
  bingo and keno equipment, electronic, 23-5-424, 23-5-425
  illegal gambling devices, importation and licenses for export, 23-5-152
  sports tabs, sales and tax collection, 23-5-502, 23-5-503
  video gambling machines, 23-5-625, 23-5-631
Minors, participation in gambling activities unlawful and exception, 23-5-158, 23-5-603, 41-5-203
Money or property
  bingo prizes, 23-5-412
  confiscated money, disposition, 23-5-123
  fantasy sports league payouts, 23-5-801
  "gambling" defined, 23-5-112
  losses at illegal gambling, civil action to recover, 23-5-131
  obtaining by fraud or operation of illegal gambling device or enterprise unlawful, 23-5-156
  raffle prizes, 23-5-413
  seized property, forfeiture and disposition, 23-5-113
  sports pools and sports tab games — wagers, consideration, and prizes, 23-5-501, 23-5-503
  video gambling machines, amount played and prizes, 23-5-608
Natural occurrences, wagering on, 23-5-165
Nonprofit organizations, 23-5-112, 23-5-165, 23-5-318, 23-5-413, 23-5-503, See also **Casino nights; Charities**
Operators of gambling establishments, 23-5-112
  antique slot machine sales, licenses — prohibited, 23-5-153
  departmental employees, prohibited activities, 23-5-114
  license requirements, 23-5-117, 23-5-177, 23-5-306
  live bingo and keno games, 23-5-407
  live card game table permits, 23-5-306
  ownership interest, transfer, 23-5-118
  video gambling machines, 23-5-130, 23-5-603, 23-5-610, 23-5-611, 23-5-616
Orders by Department of Justice, 23-5-136, 23-5-137
Ordinances
  hours of play, 23-5-307, 23-5-408, 23-5-620
  to prohibit, 23-5-171
Parimutuel betting, Title 23, chapter 4
Payroll checks, promotional activities prohibited, 23-5-164
Penalties, 23-5-110, 23-5-115, 23-5-123, 23-5-136, 23-5-223, 23-5-331, 23-5-431, 23-5-509
Permits, See **Licenses or permits**
Poker, See **Live card games; Video gambling machines**
Poker runs, 23-5-318
Pools, See **Sports pools and sports tab games**
Possession
  antique slot machines, 23-5-153
  illegal gambling devices, unlawful and exception, 23-5-152
  video gambling machines, 23-5-603, 23-5-612
Premises, 23-5-112
  approval, requirements, 23-5-117, 23-5-177
  description on and display of licenses, 23-5-177
  gambling devices, removal from, 23-5-177

GAMBLING (Continued)
Premises (Continued)

- illegal gambling devices, possession unlawful and exceptions, 23-5-152
- lien on, when, 23-5-136
- live bingo and keno games, 23-5-407, 23-5-412, 23-5-414
- live card games, removal from, 23-5-177
- operators of gambling establishments, 23-5-117, 23-5-118, 23-5-177
- video gambling machines, 23-5-603, 23-5-611, 23-5-616, 23-5-628

Prizes
- bingo, 23-5-112, 23-5-412
- calcutta pools, 23-5-221
- casino nights, 23-5-710
- fantasy sports league payouts, 23-5-801
- fishing derbies, 23-5-165
- gift enterprise, 23-5-112
- gross proceeds, paid out of, 23-5-112
- keno, 23-5-112, 23-5-412
- live card games, 23-5-312
- poker runs, 23-5-318
- raffles, 23-5-158, 23-5-413
- sports pools and sports tab games, 23-5-503
- video gambling machines, 23-5-130, 23-5-608

Probation, licensee placed on — when, 23-5-136
Prohibited unless authorized by law or by the people, 7-1-112, 23-5-151; Const., III, 9
Promotional games of chance, 23-5-112, 23-5-164, 23-5-312, 23-5-412
Property, See **Money or property**
Prosecution of violations, 23-5-114, 23-5-172
Public gambling, 23-5-112, 23-5-151
Public policy, 23-5-110
Pull tabs or punchboards, "illegal gambling device" defined, 23-5-112
Raffles, 23-5-112, See also **Gift enterprises**
- authorization, 23-5-405
- cash basis provision not applicable, 23-5-157
- casino nights, 23-5-702, 23-5-711
- charitable organizations, 23-5-413
- lottery, state — prohibitions, 23-7-103
- minors, participation, 23-5-158
- participation, 23-5-405
- permits, 23-5-413
- prizes, 23-5-158, 23-5-413
- winners, determination, 23-5-112

Receivers appointed when, 23-5-136
Records
- convictions, of — availability restricted, 23-5-161
- gambling activities, departmental employees — restrictions, 23-5-114
- inspection, 23-5-115, 23-5-409, 23-5-502, 23-5-503, 23-5-610, 23-5-628
- licensees, 23-5-115

Referendum to authorize, Const., III, 9
Regulation, 23-5-110
- license applicants, qualifications, 23-5-176
- local governments, authority, 7-1-112, 23-5-171
- persons involved with, prohibited activities, 23-5-114

Remedies for violations, 23-5-136
Repeat offenders, penalty, 23-5-161
Report by Gaming Advisory Council, 2-15-2021
Restraining orders, 23-5-136
Roulette wheels or tables, 23-5-112

GAMBLING (Continued)

Route operators, 23-5-112, 23-5-129, 23-5-130, 23-5-614, 23-5-625
Rules, administrative, 2-15-2021
Rules by Department of Justice
    additional, 2-15-2021
    adoption, 23-5-115
    amendment or clarification, 2-15-2021
    casino nights, 23-5-715
    gambling activities regulated by, investigations, 23-5-113
    gambling devices, authorization, 23-5-112
    licenses or permits, 23-5-112, 23-5-152, 23-5-176, 23-5-308
    live bingo and keno games, 23-5-406, 23-5-412, 23-5-426
    live card games authorized by, 23-5-311, 23-5-317
    manufacture of illegal gambling devices for export, licenses for, 23-5-152
    manufacturers, illegal gambling devices — importation, 23-5-152
    modification, 2-15-2021
    raffle winners, determination, 23-5-112
    sports pool design, 23-5-512
    sports tabs, tax records, 23-5-502
    video gambling machines, 23-5-112, 23-5-130, 23-5-602, 23-5-603, 23-5-612, 23-5-616, 23-5-621
    violations, 23-5-112, 23-5-113, 23-5-123, 23-5-136, 23-5-331, 23-5-431, 23-5-613
Rules of games, posting or providing
    calcutta pools, 23-5-221
    fantasy sports leagues, 23-5-801
    live card games, 23-5-313, 23-5-317
    poker runs, 23-5-318
    sports pools, 23-5-503
Sales
    antique slot machines, 23-5-153
    devices, contracts concerning — conflict of interest, 23-5-114
    equipment, distributors, 23-5-112
    licenses or permits, prohibited, 23-5-110, 23-5-159
    sports tabs, 23-5-502
    video gambling machines, 23-5-614
Seals, counterfeiting or defacing, 23-5-155
Search and seizure, 23-5-113, 23-5-123
Senior citizen centers, 23-5-112, 23-5-310, 23-5-410
Shake-a-day dice game, 23-5-160
Slot machines, 23-5-112
    antique, possession and sale permitted, 23-5-153
    bingo machines, nonapplicability, 23-5-602
    draw poker machines, nonapplicability, 23-5-602
    illegal gambling device, exception, 23-5-112
    keno machines, nonapplicability, 23-5-602
    lottery, state — operation not allowed, 23-7-102, 23-7-103
Soliciting or advertising for participation in illegal gambling activities prohibited, 23-5-154
Sports betting, 23-5-112, 23-5-806; Title 23, chapter 5, part 5
Sports pools and sports tab games, 23-4-301, 23-5-221 — 23-5-224, 23-5-501 — 23-5-503, 23-5-509, 23-5-512, 23-7-103
State policy, 23-5-110
Study of state gambling, 2-15-2021
Taxes
    assessment, 23-5-115
    bingo and keno, 23-5-406, 23-5-409

GAMBLING (Continued)
Taxes (Continued)

- collection, 23-5-115
- delinquent payment, 23-5-115
- disbursement, 23-5-115, 23-5-306, 23-5-409, 23-5-610
- disclosure of information, 23-5-116
- distraint, warrant for, 23-5-136
- fees in lieu of, 23-5-306
- local governments, authority, 23-5-171
- penalties, 23-5-115, 23-5-136
- reports, 23-5-115, 23-5-409, 23-5-610
- revenue from, use, 23-5-110
- sports tabs, 23-5-502
- video gambling machine gross income, 23-5-610

Tournaments, card game, 23-5-112, 23-5-312, 23-5-317
Twenty-one, 23-5-112
Undercover agents, 44-13-103
Uniform regulation, 23-5-110
Veterans' organizations, "nonprofit organization" defined, 23-5-112
Video gambling machines

- accounting device, 23-5-607
- authorized machines, 23-5-603, 23-5-612, 23-5-616, 23-5-621, 23-5-631
- commerce, department of — prior approval, effect, 23-5-631
- conditions placed on, 23-5-631
- credits, 23-5-602, 23-5-607, 23-5-608
- definitions, 23-5-112, 23-5-602
- examination, 23-5-631
- free games, 23-5-602, 23-5-608
- gross income, 23-5-130, 23-5-602, 23-5-610
- gross income tax, 23-5-130, 23-5-610
- hours of play, 23-5-620
- import allowed when, 23-5-621
- inspections, 23-5-610, 23-5-628, 23-5-631
- lienholder, sale of machines, 23-5-614
- limitation on amount of money played, 23-5-608
- live bingo, keno, and raffle provisions — nonapplicability, 23-5-405
- live card games, nonapplicability, 23-5-311
- machine transfer processing fee, 23-5-612
- manufacturers or distributors, 23-5-625, 23-5-631
- minors, access to — prohibited, 23-5-603
- new machines or equipment, examination and approval, 23-5-631
- number allowed for play, 23-5-603
- number of machines on premises limited, 23-5-611
- operators, 23-5-112, 23-5-130, 23-5-177, 23-5-603, 23-5-610, 23-5-611, 23-5-614, 23-5-616, 23-5-625, 23-5-631
- payback verification, 23-5-607
- payoff, manipulation — unlawful, 23-5-622
- permits, 23-5-130, 23-5-177, 23-5-603, 23-5-611, 23-5-612, 23-5-616, 23-5-625
- possession, 23-5-603, 23-5-612
- prior operation, effect, 23-5-611
- prizes, 23-5-130, 23-5-608
- records, 23-5-610, 23-5-628
- removal from public access, 23-5-177, 23-5-616
- repairs, 23-5-603
- replacement machines, 23-5-603
- restrictions, 23-5-603
- route operators, 23-5-130, 23-5-614, 23-5-625, 23-5-631

GAMBLING (Continued)
Video gambling machines (Continued)

- specifications and requirements, 23-5-616, 23-5-621
- surtax, 23-5-610, 23-5-646
- tampering, 23-5-622
- testing, 23-5-631
- theft from machines, 23-5-610
- ticket vouchers, 23-5-608
- tradeshows and exhibitions, imported for, 23-5-621
- verification of winning percentage, 23-5-607
- violations, 23-5-613, 23-5-622, 23-5-625
- winning percentage, verification, 23-5-607

Violations
- calcutta pools, generally, 23-5-223
- cash basis provision, of, 23-5-157
- cease and desist orders for, 23-5-136
- confiscated money, disposition, 23-5-123
- counterfeiting documents, 23-5-155
- criminal liabilities
  - felony, 23-5-162
  - misdemeanor, 23-5-161
- defacing documents, 23-5-155
- distributors, failure to have license, 23-5-128
- fantasy sports league provisions, 23-5-810
- fines, 23-5-123, 23-5-161, 23-5-162
- forfeitures, disposition, 23-5-113, 23-5-123
- fraud, obtaining anything of value by, 23-5-156
- illegal gambling devices
  - obtaining anything of value by operation of, 23-5-156
  - possession and exceptions, 23-5-152
  - slot machines, antique — possession, 23-5-153
  - soliciting or advertising participation in use, 23-5-154
- illegal gambling enterprise
  - obtaining anything of value by operation of, 23-5-156
  - operation, 23-5-152
  - soliciting or advertising participation, 23-5-154
- injunction to restrain, 23-5-136
- licenses or permits
  - assignment, sale, lease, or transfer, 23-5-159
  - distributors, failure to have, 23-5-128
  - operators of gambling establishments, failure to have, 23-5-177
  - route operators, failure to have, 23-5-129
  - suspension or revocation for violations, 23-5-136
- live bingo and keno provisions generally, 23-5-431
- live card games
  - card room contractor's license, failure to have, 23-5-324
  - provisions generally, 23-5-331
- minors, participation in gambling activities and exception, 23-5-158
- operators of gambling establishments, failure to have license, 23-5-177
- orders, of, 23-5-136
- penalties, 23-5-223, 23-5-331, 23-5-431, 23-5-509
  - assessment and collection, 23-5-115
  - civil, 23-5-136
  - disposition, 23-5-115, 23-5-123, 23-5-136
  - revenue from, use, 23-5-110
- prosecution, 23-5-172
  - persons involved with, prohibited activities, 23-5-114

GAMBLING (Continued)
Violations (Continued)

- raffle provisions generally, 23-5-431
- remedies for, 23-5-136
- repeat offenders, 23-5-161
- reporting to county attorney, 23-5-113
- restraining orders for, 23-5-136
- route operators, failure to have license, 23-5-129
- rules, of, 23-5-112, 23-5-113, 23-5-123, 23-5-136, 23-5-613
- seized property, forfeiture and disposition, 23-5-113
- sports pools and sports tab games, provisions generally, 23-5-509
- video gambling machines
  - manufacturers, failure to have license, 23-5-625
  - provisions generally, 23-5-613
  - tampering, 23-5-622

Yellowstone Airport beer and wine license, effect, 16-4-304
Zoning to prohibit, 23-5-171

GAME ANIMALS AND BIRDS
See **FISH AND WILDLIFE**

GAME WARDENS' RETIREMENT SYSTEM
Adjustment payments, 19-15-101, 19-15-102
Administration, Title 19, chapter 2, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**
Benefits, See also **Death benefits**

- alternate payees, 19-2-907
- adjustment payments, 19-15-101, 19-15-102
- bankruptcy, exemption, 31-2-106
- compensation limit, 19-2-1005
- disability retirement, See **Disability retirement benefits**
- discrimination prohibited, 49-2-309
- distributions, required, 19-2-1007
- duplication prohibited, 19-8-901
- early retirement, 19-8-604
- forfeitures, use prohibited, 19-2-1006
- judicial officer as attorney in actions concerning, prohibited, 3-1-601
- optional forms, 19-8-801
- payments, minimum and limitations, 19-8-1104
- postretirement adjustment, 19-8-1101 — 19-8-1103
- service retirement, See **Service retirement benefits**
- tax exemption when, 19-2-1004
- workers' compensation, effect, 19-2-905

Citation of Game Wardens' Retirement Act, 19-8-105
"Compensation" defined, 19-8-101
Contributions, See also **Members**

- disposition, 19-8-501
- employer — pick up, payment, and rate, 19-8-502
- military service, during and to qualify, 19-8-901
- public service employment, for qualification of service in, 19-8-902
- state, rate, 19-8-504

Death, See also **Death benefits**

- retiree, optional benefits — effect on, 19-8-801
- prior to retirement, 19-8-1002, 19-8-1003

Death benefits, 19-8-1002, See also **Benefits**

- employment-related death, 19-8-1001
- distributions, required, 19-2-1007
- nonduty-related death, payment when, 19-8-1003
- survivorship benefit, minimum monthly benefit and limitations, 19-8-1104

GAME WARDENS' RETIREMENT SYSTEM (Continued)

Definitions, 19-2-303, 19-8-101, 19-15-102
Disability retirement benefits
    ad hoc cost-of-living increase, 19-8-1110
    cancellation when, 19-8-712
    computation, 19-8-701
    medical examinations, 19-8-712
    minimum monthly benefit and limitations, 19-8-1104
    postretirement adjustment, 19-8-1101 — 19-8-1103
    service retirement status, change to — when, 19-8-712
Discrimination prohibited, 49-2-309
Early retirement, 19-8-604
Establishment, 19-8-102
Exemption, 19-2-1004
Fine, 19-2-1009
Fraud, 19-2-1009
Funds
    pension trust fund
        interest and income, 19-8-501
        investment, 17-6-203, 19-8-1102
        military service, contributions to qualify, 19-8-901
        unfunded liability, 19-8-504
    postretirement adjustment, reserve fund, 19-8-1102
    sources of money, 19-8-501
Legal process, exemption, 19-2-1004
Marital status, discrimination based on — prohibited, 49-2-309
Members
    federal service, qualification, 19-8-903
    inactive vested or nonvested, 19-8-301
    public service employment, qualification of service, 19-8-902
Membership, 19-8-301
    ineligibility, 19-8-302
    military service, during, 19-8-901
    other systems, in, 19-8-302
Optional retirement, 19-8-801, 19-8-1103
Postretirement adjustment
    eligibility, 19-8-1101
    funding, 19-8-1102
    payment and amount, 19-8-1102, 19-8-1103
Public Employees' Retirement Board, duties, Title 19, chapter 2, part 4
Public Employees' Retirement System
    administration, Title 19, chapter 2
    membership in, 19-8-302
    retired game warden, employment in position covered by — effect, 19-8-1104
    service credits transferred to, 19-3-509
Records, falsification, 19-2-1009
Retirement systems, other — employment of retired game warden in position covered by, effect, 19-8-1104
Service credits
    federal service, qualification, 19-8-903
    firefighters' unified retirement system, transfers to, 19-13-404
    highway patrol officers' retirement system, transfers to, 19-6-802
    military service, 19-8-901
    minimum monthly benefit, use in calculation, 19-8-1104
    multiple periods of service, effect, 19-8-901
    municipal police officers' retirement system, transfers to, 19-9-405

GAME WARDENS' RETIREMENT SYSTEM (Continued)
Service credits (Continued)

- public employees' retirement system, transfers to, 19-3-509
- public service employment, qualification, 19-8-902
- sheriffs' retirement system, transfers to, 19-7-802

Service retirement benefits
- ad hoc cost-of-living increase, 19-8-1110
- alternate payees, 19-2-907
- amount, 19-8-603
- commencement, 19-8-601
- disability retirement status, change from — when, 19-8-712
- early retirement, 19-8-604
- eligibility and application, 19-8-601
- minimum monthly benefit and limitations, 19-8-1104
- postretirement adjustment, 19-8-1101 — 19-8-1103

Sex, discrimination based on — prohibited, 49-2-309
Social security system, separateness, 19-1-104
Survivorship benefit, 19-8-1104
- ad hoc cost-of-living increase, 19-8-1110
- alternate payees, 19-2-907
- employment-related death, 19-8-1001
- minimum monthly benefit, 19-8-1104
- optional forms, 19-8-801
- postretirement adjustment, 19-8-1101, 19-8-1102

Workers' compensation benefits, applicability, 19-2-905

GARNISHMENT
- See also ATTACHMENT OF PROPERTY; EXECUTION

Annuity contracts subject to, when, 33-15-514
Child support
- deductions, amount and priority, 40-5-310
- income withholding, priority, 40-5-423
- lottery winnings, 23-7-312
- retirement benefits, alternate payees — exemption, 19-2-907

Employment, termination due to, 39-2-302, 39-2-503
Exemptions from
- crime victims reparation benefits, 53-9-129
- earnings of judgment debtor when, 25-13-610, 25-13-614
- fire department relief associations' benefits, 19-18-612
- fraternal benefit society benefits, 33-7-522
- police officers' retirement benefits, 19-19-504
- public assistance payments, 53-2-607
- public employees' retirement fund or benefits, 19-2-907, 19-2-1004
- silicosis benefits, 39-73-110
- teachers' retirement funds or benefits, 19-20-706
- unemployment insurance benefits, 39-51-3105
- university system optional retirement program — contracts, benefits, and contributions, 19-21-212
- welfare payments, 53-2-607
- workers' compensation benefits when, 39-71-743

Foreign-money claims, united states dollar value of — determining, 25-9-712
Funds transfers, accounts, 30-4A-502
Insurance annuity contracts subject to, when, 33-15-514
Insurers
- lien obtained by, 33-2-1353
- liquidation, actions to forestall, 33-2-1345
- prevention when, 33-2-1309, 33-2-1386

GARNISHMENT (Continued)

Power of attorney, statutory — authority, 72-31-232
Public officers, 27-18-406
    applicability of laws, 25-13-504
Secured transactions, transfer of debtor's rights by, 30-9-311
Service by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Small claims court, unavailable in, 25-34-202
Termination of employment due to prohibited, 39-2-302, 39-2-503

GASOLINE AND PETROLEUM PRODUCTS
Appliances, below-grade liquefied petroleum gas-burning — installation in dwellings permitted when, 50-60-203
Boats, carburetor flame arresters required, 23-2-521
Containers, 82-15-101
    owners, 82-15-101, 82-15-115
    refilling, unlawful acts, 82-15-113, 82-15-114
Definitions, 82-15-101, 82-15-201
Delivery
    full, 82-15-109
    partial, 82-15-108
Emergencies
    regulation, 10-3-505
    supplies, of, Title 90, chapter 4, part 3
Enforcement, 82-15-102
Fees, 82-15-105, 82-15-108
Fines, 82-15-111, 82-15-206
Fire prevention and safety rules, 50-3-103
Foods, organic — applicability, 50-31-222
Gross volume, sales to be on, 30-12-409
Hazardous or deleterious substances, Title 75, chapter 10, part 7
Inhalation or ingestion, possession for unlawful, 45-9-121
Injunctions, 82-15-112, 82-15-204
Inspections, 82-15-107
International Fuel Tax Agreement, 15-70-104, 15-70-121, 15-70-122, 15-70-302
Investigations, 82-15-204, 82-15-205
Laboratory for testing, 82-15-104
Licenses for dealers, 49-3-204, 82-15-105, 82-15-106, 82-15-204, See also **TAXATION, GASOLINE AND VEHICLE FUELS**
Mislabeling, 82-15-101, 82-15-110
Motor fuel marketing, retail, Title 30, chapter 14, part 8
Motor oil
    recycling generally, Title 75, chapter 10, part 8
    recycling centers, notice of location, 75-10-1101
    water quality district ordinances, 75-5-311
Motorist information signs, Title 60, chapter 5, part 5
Petroleum Tank Release Compensation Board, representation on, 2-15-2108
Pipelines, Title 69, chapter 13
Postattack emergency regulation, 10-3-505
Price
    discrimination, 82-15-203
        damages, 82-15-207
        definitions, 82-15-201
        investigation, 82-15-204, 82-15-205
        penalty, 82-15-206
        prosecution, 82-15-205

GASOLINE AND PETROLEUM PRODUCTS (Continued)
Price (Continued)
  discrimination (Continued)
    purpose of provisions, 82-15-202
  report to governor and legislature, 15-1-205
Production regulation not construed, 82-11-305
Refineries, state building and electrical codes — nonapplicability, 50-60-102, 50-60-602
Resource indemnity trust and ground water assessment tax, Title 15, chapter 38
Rules, 82-15-102, 82-15-103, 82-15-105, 82-15-106, 82-15-108, 82-15-109, 82-15-111
Secured transactions, 30-9-105, 30-9-403, 30-9-409, 30-9-410
Securities transactions, exemption, 30-10-103, 30-10-105
"Sniffing", possession for — unlawful, 45-9-121
Special fuel, Title 15, chapter 70, part 3; Title 30, chapter 14, part 8
Standards and specifications for products, 82-15-103, 82-15-110
Storage tank releases, cleanup, Title 75, chapter 11, part 3
Taxation, Title 15, chapter 70
Testing, 82-15-103, 82-15-104, 82-15-107, 82-15-110
Underground storage tanks, Title 75, chapter 11
Violations
  containers, refilling, 82-15-113, 82-15-114
  enumeration, 82-15-110
  gross volume, sales not on, 30-12-409
  inhalation or ingestion, possession for, 45-9-121
  injunction, 82-15-112
  inspection, 82-15-107
  licenses for dealers
    failure to have, 82-15-105
    refusal, suspension, or revocation upon violation, 82-15-106
  measuring devices, use without payment of fees, 82-15-105
  penalties, 82-15-111, 82-15-206
  price discrimination, 82-15-203, 82-15-206
Weight and measure provisions
  "bulk pipeline terminal" defined, 90-4-302
  full compartment sales, 82-15-109
  furnace and stove oil, 30-12-407
  measuring devices, 82-15-105, 82-15-108 — 82-15-110
  partial delivery, 82-15-108
  temperature correction, 30-12-409, 82-15-110

GASOLINE LICENSE TAX ACT, DISTRIBUTOR'S, 15-70-103, 15-70-104, 15-70-201 — 15-70-212, 15-70-221 — 15-70-226, 15-70-232
  See **TAXATION, GASOLINE AND VEHICLE FUELS**

GEM STONES
  See also **MINES AND MINING**, generally; **RECLAMATION, Reclamation and development grants program**; **STATE LANDS, Mining leases**; **TAXATION, MINERALS, Mines, metal; Resource indemnity trust and ground water assessment tax**
State, 1-1-505

GENDER BALANCE LAW, 2-15-108, 53-30-312

GENETICS PROGRAM, VOLUNTARY STATEWIDE, 33-2-712, 33-2-713, 50-19-211

GEOLOGIST, STATE, 20-25-301

GEOPHYSICAL EXPLORATION
  See **SEISMOGRAPHY FOR GEOPHYSICAL EXPLORATION**

GEOTHERMAL RESOURCES AND EXPLORATION
Bottom-hole temperatures, availability for geothermal purposes, 82-11-125, 82-11-126
Facility Siting Act, Title 75, chapter 20, See **FACILITY SITING**
Injury caused by, statute of limitation, 27-2-303
Leases, Title 77, chapter 4, part 1, See **STATE LANDS, Geothermal resource leases**
Tax incentives, energy-related, 15-32-102, 15-32-115

GIFTS
    See also **CHARITIES**
Administrative rule negotiated rulemaking committees, acceptance, 2-5-110
Aeronautics purposes, for, 67-1-301
Aging, programs or services for, 52-3-102, 53-21-402
Agricultural chemical ground water protection, 80-15-301
Agriculture, Department of — acceptance, 80-1-102, 80-7-1107, 80-11-208, 80-11-210, 80-15-301
Air quality programs, for, 75-2-112
Alcoholic beverages
    revenue, department of — employees, prohibitions, 16-1-304
    violations, proof, 16-6-206
Alfalfa Seed Committee, acceptance, 80-11-304
Anatomical, Title 72, chapter 17
Apiaries, queen, 80-6-101
Arts, facilities for, 7-16-2204
Bank incorporators, acceptance, 32-4-201
Causa mortis, 70-3-103, 70-3-201 — 70-3-205, 72-16-213, 72-16-301, 72-16-308
Chemical dependency treatment, rehabilitation, or prevention, 53-24-108, 53-24-204
Child abuse and neglect prevention program, 41-3-703
Cigarette sales, 16-10-103, 16-11-102
Community and urban forestry program, support, 77-5-404
Community college district trustees, acceptance, 20-15-109
Corrections and Human Services, Department of — acceptance, 53-21-202, 53-21-402
Cultural and aesthetic projects, matches for challenge grants, 22-2-309
Death, in view of, 70-3-101, 70-3-201 — 70-3-205
Developmental disability services, for, 52-4-110, 53-20-203, 53-20-504
Drug Abuse Resistance Education (D.A.R.E.) Program, for, 44-2-703
Eastern Montana College, 20-25-252
Elections
    campaigns, See **ELECTIONS, Campaign finance**, contributions
    nomination of candidates, improper, 13-35-221
    vote, as consideration for, 13-35-215
Emergency medical services, 50-6-304
Emergency or disaster purposes, for, 10-3-203, 10-3-313
Endowments, Title 17, chapter 3, part 10, See also **TRUSTS, Institutional funds**
Estates
    effect upon, See **ESTATES AND PROBATE, Gifts**
    to, 70-1-701 — 70-1-704, See **PROPERTY, Gifts**
Executive branch department heads, authority, 2-15-112
Family Services, Department of — acceptance, 41-3-1103, 52-3-102
Federal assistance programs, 17-3-102
Fire Department Relief Association disability and pension fund, to, 19-18-501
Firefighters' Unified Retirement System, as additional employee contributions, 19-13-607
Fish and wildlife, 87-1-221
    bag limit prizes, 87-3-121
    crimestoppers program, 87-5-605
    for, 87-1-201, 87-5-605

GIFTS (Continued)
Fish and wildlife (Continued)

mitigation trust fund, 87-1-611, 87-1-612, 87-1-614
river restoration program, 87-1-258
Fish, Wildlife, and Parks — Department of, acceptance, 23-1-102
Flathead Basin Commission, acceptance, 75-7-305
Food programs and nutrition services, 50-49-106
Forestry extension service account, 76-13-415
Forestry program, urban and community — support, 77-5-404
Generally, See **PROPERTY, Gifts**
Gift certificates, 70-9-102, 70-9-209
Gift enterprises, 7-1-112, 23-5-112, 23-5-151; Const., III, 9, See **GAMBLING**, generally
Ground water assessment, for, 85-2-905
Handicapped persons, telecommunications services and equipment — program for, 53-19-309, 53-19-310
Health and Environmental Sciences, Department of — acceptance, 50-70-105, 75-2-112, 75-3-201, 75-10-117, 75-10-412, 80-15-301
Health Facility Authority, acceptance, 90-7-202
Historical Society, acceptance, 22-3-107, 22-3-603
Housing, Board of — acceptance, 90-6-104
Inheritance tax, 72-16-101, See **TAXATION, ESTATES**
Institutional funds, See **TRUSTS, Institutional funds**
Insurance, commissioner of and employees — prohibitions, 33-1-305
Insurers
domestic stock and mutual, officials — prohibitions, 33-3-308
real estate investments, 33-2-832
Investments, Board of — authority, 17-5-1504, 17-5-1505
Irrigation districts, to, 85-7-1411
Labor and Industry, Department of — acceptance, 39-7-103
Libraries, public — board of trustees' authority, 22-1-309
Livestock crimestoppers program, for, 81-6-313
Livestock, Department of — acceptance, 81-6-313, 81-8-609, 81-8-610
Lobbyists, by, 5-7-102, 5-7-210
Megalandfill siting, 75-10-909
Mental health services, for, 53-21-202, 53-21-204
Minors, to, See **TRUSTS, Minors, transfers to**
Mint and mint oil production purposes, for, 80-11-403, 80-11-415
Montana Arts Council, acceptance, 22-2-107
Montana State University, 20-25-230, 20-25-237, 20-25-431
Montana student volunteer program, 20-26-1404
Mosquito control board, authority, 7-22-2415
Motor vehicle sales, 61-4-402
Museum board of trustees, reports, 7-16-2204
Natural areas preservation, for, 76-12-107, 76-12-123
Natural Resources and Conservation, Board of — members and employees, prohibitions, 90-2-1121
Natural Resources and Conservation, Department of
acceptance, 75-20-111, 85-1-332, 85-2-111, 85-3-103
officers and employees, prohibitions, 85-1-622, 90-2-1121
Nonprofit corporations, merger — effect, 35-2-614
Noxious weed management, 7-22-2142, 80-7-813
Nutrition services and food programs, 50-49-106
Occupational health purposes, for, 50-70-105
Open-space land, land for, 7-12-4102
Osteopathy, practicing, 37-5-101
Parks, public — land for, 7-12-4102
Personal property, of, 70-3-101 — 70-3-104, See **PROPERTY, PERSONAL, Gifts**

GIFTS (Continued)

Petroleum Tank Release Compensation Board, acceptance, 75-11-313
Police Officers' Retirement Systems
  employer contributions, as additional, 19-9-705
  police retirement funds, to, 19-19-304
Port authorities, acquisitions by, 7-14-1111
Power of attorney, statutory — authority, 72-31-224, 72-31-225
Power-Tobin mansion, acceptance for, 77-1-221
Procurement provisions, state — applicability, 18-4-132
Property generally, See **PROPERTY, Gifts**
Public assistance, for, 53-2-201, 53-7-102, 53-7-302
Public officers and employees
  acceptance prohibited, 2-2-104, 45-7-104
  lobbyists, gifts from, 5-7-102, 5-7-210
Public recreation programs, for, 7-16-4109, 20-7-803
Public service commissioners and employees, prohibitions, 69-1-112
Radiation control programs, 75-3-201
Regents of Higher Education, Board of — acceptance, 20-25-103, 20-25-108, 20-25-230, 20-25-242, 20-25-252, 20-25-254, 20-25-402, 20-25-425, 20-25-431, 20-31-401
Resort tax, "luxuries" defined, 7-6-4461
Revenue, Department of — employees, prohibitions, 16-1-304
Rodent control boards, authority, 7-22-2216
School districts
  acceptance, 7-16-4109, 20-6-601, 20-7-803
  architectural service contracts, prohibitions, 20-6-636
School food services, for, 20-10-201, 20-10-204
School trustees, administration, 20-3-324, 20-9-604, 20-10-204
Social and Rehabilitation Services, Department of — acceptance, 52-4-110, 53-2-201, 53-7-102, 53-7-302, 53-20-203, 53-20-504
Solid waste management, for, 75-10-112
State
  communication systems, for, 2-17-302
  to, generally
    expenditure, 17-8-105
    investment funds, 17-6-202, 17-6-203
State lands, recreational use, 77-1-808
Stock, offer and sale, 30-10-103
Superintendent of public instruction, acceptance, 20-10-201
Telecommunications services and equipment for the handicapped, program for, 53-19-309, 53-19-310
Timeshare transfers by, 37-53-205
Tobacco products other than cigarettes, sales, 16-11-201
Traffic safety programs, for, 61-2-104
University of Montana
  government research, bureau of, 20-25-207
  forest and conservation experiment station, 20-25-242
University system, 20-25-103, 20-25-108, 20-25-230, 20-25-242, 20-25-252, 20-25-254, 20-25-402, 20-25-425, 20-25-426, 20-25-431
Utilities, treatment of gifts, 69-3-307
Vertebrate pest management, for, 80-7-1107
Veterans' and Pioneers' Memorial Building, for, 22-3-303
Vocational rehabilitation, for, 53-7-102, 53-7-302
Vocational-technical center directors, acceptance, 20-16-104
Water quality districts, 7-13-4517
Weed management, 7-22-2142, 80-7-813
Western Montana College of the University of Montana, 20-25-254

GIFTS (Continued)

Wheat and barley research, for, 80-11-208, 80-11-210
Women in employment, programs — for, 39-7-103
Youth residential services, for, 41-3-1103

GOLF COURSES
  See **RECREATION**

GOOD FAITH AND FAIR DEALING, IMPLIED COVENANT OF, 28-1-211

GOOD FAITH DONORS ACT, 27-1-716

GOOD SAMARITAN LAW, 27-1-714, 27-1-716, 37-3-103, 41-1-405, 50-6-206

GOVERNMENT
  See also **CITIES AND TOWNS; COUNTIES; LOCAL GOVERNMENT; STATE GOVERNMENT**; specific form of government
Actions against governmental entities generally, See also other **Actions** entries
  attorney's fees, approval, 2-9-314
  crime victim and witness provisions, actions not created by, 46-24-105
  district court, filing in — when, 2-9-301
  employees — immunization, defense, and indemnification, 2-9-305, 23-2-705
  frivolous, 25-10-711
  interest, provisions for discretionary award inapplicable, 27-1-212
  joinder of parties, 2-9-305
  jurisdiction, 2-9-311
  limitation, 2-9-302
  uniform transboundary pollution reciprocal access act, applicability, 75-16-108, See **POLLUTION**
  venue, 25-2-126
Actions involving cities and towns, See also **Actions against governmental entities generally**
  annexation
    judicial review, 7-2-4741, 7-2-4742, 7-2-4751
    lawfulness, presumption, 7-2-4743
  city attorney, duties, See **CITY ATTORNEY**
  commission government, effect on actions of former government, 7-3-4206
  commission-manager government
    existing actions, continuation, 7-3-4304
    prosecution, 7-3-4461
    public service commission, effect, 7-3-4302
    sue and be sued, power to, 7-3-4313
  declaratory judgments, 27-8-202, 27-8-301
  fees, 25-10-405, 25-10-703, 25-10-711; Title 25, chapter 20, M.R.Civ.P., Rule 54(d)
  hearings, 7-1-4131, See also **CITIES AND TOWNS, Hearings**
  immunity from suit when, 7-1-4125
  initiation, 7-1-4124
  initiative or referendum
    ordinances, new — determination of reenactment without change of repealed ordinance, 7-5-137
    petitions, to determine validity and constitutionality, 7-5-135
  jurisdiction
    city court, 3-11-103, 3-11-104
    justice's court, 3-10-301, 25-31-101, 25-31-102
  notice requirements, 7-1-4128, 7-1-4129, 7-1-4139
  ordinances
    new, determination of reenactment without change of repealed ordinance, 7-5-137
    violations, to restrain or enjoin, 7-1-4124

GOVERNMENT (Continued)
Actions involving cities and towns (Continued)

- police officers, reimbursement of salaries and medical expenses paid to — when, 7-32-4138
- protests, 7-1-4132, 7-1-4139, See also **CITIES AND TOWNS, Protests**
- ratification, 7-1-4124
- resort tax, collection, 7-6-4465
- service consolidation or transfer, effect of adoption, 7-11-309
- sewage and/or water assessments, past-due — for collection, 7-13-4309
- sovereign immunity, Const., II, 18
- statute of limitation, 27-2-211
- sue and be sued, power to, 7-1-4124, 7-3-4313
- torts, See **TORTS**; See also this main category generally

Actions involving counties, See also **Actions against governmental entities generally**

- against county, defense, 7-4-2711
- change of venue, costs, 25-2-205
- concealed weapons, permits to carry — actions arising from, 45-8-326
- corporate name to be used, 7-1-2102
- costs, 25-2-205, 25-10-703
- county attorney, duties, See **COUNTY ATTORNEY**
- county commissioners, board of — jurisdiction and power, 7-5-2104
- execution, 25-13-205, 25-31-1111
- fees, 25-10-405, 25-10-703, 25-10-711; Title 25, chapter 20, M.R.Civ.P., Rule 54(d)
- initiative or referendum
  - ordinances, new — determination of reenactment without change of repealed ordinance, 7-5-137
  - petitions, to determine validity and constitutionality, 7-5-135
- judgment, 25-13-205, 25-31-1111
- license violations, 7-21-2116
  - defenses, 7-21-2117
- livestock seized and killed to ascertain brand, action by dissatisfied owner, 81-3-223
- money, recovery, 7-4-2713, 7-4-2714
- name change of county, effect, 7-2-2509
- new counties, creation — transfer, 7-2-2255, 7-2-2411, 7-2-2412
- representation in, 7-4-2705
- resort tax, collection, 7-6-4465
- royalty interest in land sold for taxes, recovery, 15-17-326, 27-2-210, 70-19-421
- service consolidation or transfer, effect of adoption, 7-11-309
- sovereign immunity, Const., II, 18
- statute of limitation, 27-2-209
- sue and be sued, right to, 7-1-2103, 7-2-4917
- torts, See **TORTS**; See also this main category generally
- transfer when, 7-2-2255, 7-2-2411, 7-2-2412
- venue, 25-2-126, 25-2-205
- witnesses, advance payment not required, 26-2-508 — 26-2-510

Actions involving local governments, See also **Actions against governmental entities generally**

- change in form of government, effect, 7-3-106, 7-3-152
- consolidated governments, powers, 7-3-1203
- initiative or referendum petitions, to determine validity and constitutionality, 7-5-135
- ordinances, new — determination of reenactment without change of repealed ordinance, 7-5-137

Actions involving state government, See also **Actions against governmental entities generally**

- appeals, notice to attorney general, 25-1-502, 46-1-302
- attorney general
  - notice to, 25-1-501, 25-1-502, 46-1-301, 46-1-302; Title 25, chapter 20, M.R.Civ.P., Rule 24(c); Title 25, chapter 21, M.R.App.P., Rule 38

GOVERNMENT (Continued)
Actions involving state government (Continued)
  attorney general (Continued)
    prosecution and defense by, 2-15-501
  city courts, no jurisdiction, 3-11-104
  constitutional questions, Title 25, chapter 21, M.R.App.P., Rule 38
  contract actions, See **PUBLIC CONTRACTS, Disputes with state**
  costs, 15-1-222, 25-10-405, 25-10-702, 25-10-711, 70-19-303; Title 25, chapter 20, M.R.Civ.P., Rule 54(d)
  counterclaim against, Title 25, chapter 20, M.R.Civ.P., Rule 13(d)
  criminal actions, See **STATE GOVERNMENT, Criminal proceedings**
  district court jurisdiction, 3-5-302; Const., VII, 4
  emergency services mutual aid agreements — default, failure, or performance of parties causing liability under, 10-3-1113
  fees, 15-1-222, 25-10-405, 25-10-702, 25-10-711, 70-19-303
  governor's duty regarding, 2-15-201
  intervention by, Title 25, chapter 20, M.R.Civ.P., Rules 24(b), 24(c)
  joinder in actions affecting title to property, 25-5-204
  jurisdiction
    city courts, 3-11-104
    district court, 2-9-311, 3-5-302; Const., VII, 4
    justice's court, 3-10-301, 25-31-101, 25-31-102
    small claims court, 25-34-105, 25-35-505
  justice's court, no jurisdiction, 3-10-301, 25-31-101, 25-31-102
  notice to attorney general, 25-1-501, 25-1-502, 46-1-301, 46-1-302; Title 25, chapter 20, M.R.Civ.P., Rule 24(c); Title 25, chapter 21, M.R.App.P., Rule 38
  process, designation in, 2-1-101
  property, joinder in actions affecting, 25-5-204
  quo warranto proceedings in name of, 27-28-101, 27-28-301
  real party in interest, Title 25, chapter 20, M.R.Civ.P., Rule 17(a)
  service of process, 2-9-313; Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  small claims court, may not be a party in, 25-34-105, 25-35-505
  statute of limitation, 27-2-103
  stay of execution, Title 25, chapter 20, M.R.Civ.P., Rule 62(e)
  tort claims, See **Claims against**
  witnesses, prepayment of fees not required, 26-2-508 — 26-2-510
Agricultural loan authority program, claims against, 80-12-308
Assembly, freedom of, Const., II, 6
Capital companies, liability for actions of, 90-8-204, 90-8-205
Cities and towns
  actions involving, See **Actions involving cities and towns**
  business improvement districts, insurance required, 7-12-1143
  commission government, effect on liability of former government, 7-3-4206
  commission-manager government
    department directors, liability concerning claims, 7-3-4433
    former government, effect on liability of, 7-3-4304
  fire companies, immunity from liability, 7-33-2208
  fire reports, liability for delays in receiving and transmitting, 7-33-4114
  housing authorities, property insurance, 7-15-4460, 7-15-4525
  insurance, 7-1-4124, 7-1-4125
  liability, 7-1-4125
  parking commission property and projects, 7-14-4622, 7-14-4634, 7-14-4656
  self-insurance, 2-9-211, 7-1-4124
  urban renewal projects, property insurance, 7-15-4258
City-county consolidated government, director of finance — liability concerning claims and warrants, 7-3-1314
City officers, liability, 7-7-121, 7-7-122

GOVERNMENT (Continued)

City or town clerk, liability, 7-6-212, 7-6-4234
City or town councils, liability, 7-6-4234, 7-7-4266
Civil defense personnel, immunity from liability, 10-3-111
Claims against
  agricultural loan authority program, 80-12-308
  appropriation for payment when, 2-9-315
  attachment and execution, exemption from, 2-9-318
  compromise or settlement, 2-9-303, 2-9-304
  defined, 2-9-101
  disaster or emergency wreckage removal, 10-3-315
  filing, 2-9-301, 2-9-302
  governor's duty regarding, 2-15-201
  investments, board of, 17-5-1528, 17-5-1622
  limitation of action, 2-9-301, 2-9-302, 7-6-2421
  payment, 2-9-202, 2-9-211, 2-9-315
  writing, to be in, 2-9-301
Counties
  actions involving, See **Actions involving counties**
  buildings, insurance, 7-8-2104
  business improvement districts, insurance required, 7-12-1143
  claims, See **Claims against**; **COUNTY FINANCE**
  fairground and fairground building lessees, liability and property insurance, 7-21-3409
  officers, liability, 7-4-2111, 7-4-2207, 7-4-2212, 7-4-2515, 7-4-2517, 7-4-2519, 7-7-121, 7-7-122
  rural fire districts, fire chiefs, and fire service areas — immunity from liability, 7-33-2208
  self-insurance, 2-9-211
County clerk and recorder, liability, 7-4-2623
County commissioners, board of — liability, 7-4-2113, 7-7-121, 7-7-122, 7-7-2266, 7-14-2133, 7-14-2201
County officials, liability, 7-6-2323
County sheriff, liability, 7-32-2130, 7-32-2131
County treasurer, liability, 7-6-212, 7-21-2115, 7-35-2141
Definitions, 2-9-101, 2-9-111
Disaster and emergency services personnel, immunity from liability, 10-3-111
Emergency services personnel, immunity from liability, 10-3-111
Energy emergencies, damages barred for damage to property, 90-4-315
Foreign-money claims, Title 25, chapter 9, part 7
Fraudulent transfers, Title 31, chapter 2, part 3, See **FRAUDULENT TRANSFERS**
Good of the whole, Const., II, 1
Gubernatorial actions, immunity from liability, 2-9-113
Halogenated solvents, use
  registration requirements, 75-10-451
  water quality district ordinances, 75-5-311
Health care information, See **HEALTH CARE INFORMATION**
Hospital districts and officers and employees, 7-34-2122
Immunity from liability
  cities and towns, when, 7-1-4125
  civil defense personnel, 10-3-111
  counties, when, 15-18-212, 45-8-326
  county rural fire districts, fire chiefs, and fire service areas, 7-33-2208
  disaster and emergency services personnel, 10-3-111
  fire companies, 7-33-2208
  gubernatorial actions, 2-9-113
  judicial acts and omissions, 2-9-112
  legislative acts and omissions, 2-9-111

GOVERNMENT (Continued)
Immunity from liability (Continued)

- limitations, Const., II, 18
- local elected executives, 2-9-114
- natural resources and conservation, board and department, 76-5-109
- passenger tramway safety, board of — members, technical advisers, and contractors, 23-2-705
- public officers and employees, 2-9-305, 7-22-2111, 23-2-705, 85-3-104
- railroad corporation special peace officers, actions or certification of, 44-4-904
- school trustees, limitations, 20-3-332
- surrogate parents of handicapped children, 20-7-463

Insurance
- business improvement districts, required, 7-12-1143
- cities and towns, 7-1-4124, 7-1-4125
  - housing authorities, property insurance, 7-15-4460, 7-15-4525
  - parking commission property or projects, 7-14-4622, 7-14-4634, 7-14-4656
  - self-insurance, 2-9-211, 7-1-4124
  - urban renewal projects, property insurance, 7-15-4258
- costs, apportionment, 2-9-202
- county buildings, for, 7-8-2104
- county fairground and fairground building lessees, liability and property insurance, 7-21-3409
- county officers, for, 7-4-2111
- hospital districts and officers and employees, 7-34-2122
- judgments, payment, 2-9-316
- legislative acts and omissions, immunity — purchase does not waive, 2-9-111
- Montana insurance code, nonapplicability, 33-1-102
- policy conditions, construction, 2-9-306
- political subdivisions, 2-9-211, 2-9-212, 7-1-4125
- procurement, 2-9-201, 2-9-315
- reserve funds
  - claims paid from, 2-9-303, 2-9-304
  - creation, 2-9-202, 2-9-211
- school trustees, requirements, 20-3-331, 20-6-608, 20-10-107, 20-10-109, 20-10-124, 20-10-143
- self-insurance, 2-9-202, 2-9-211, 2-18-812, 7-1-4124
- state plan, 2-9-201, 2-9-202
- tax levy for, 2-9-212

Interest, provisions for discretionary award inapplicable, 27-1-212
Investments, Board of — claims against, 17-5-1528, 17-5-1622
Judgments
- appropriations for payment when, 2-9-315
- attachment and execution, exemption from, 2-9-318
- declaratory, 2-9-305
- no interest, when, 2-9-317
- satisfaction, 2-9-316, 15-10-412

Judicial acts and omissions, immunity from liability, 2-9-112
Law enforcement entities, liability for mutual assistance, 44-11-102
Legislative acts and omissions, immunity from liability, 2-9-111
Liability, 2-9-102; Const., II, 18
- business improvement districts, 7-12-1143
- capital companies, for actions of, 90-8-204, 90-8-205
- cities and towns, 7-1-4125
  - commission government, effect on liability of former government, 7-3-4206
  - commission-manager government
    - department directors, liability concerning claims, 7-3-4433
    - former government, effect on liability of, 7-3-4304

GOVERNMENT (Continued)
Liability (Continued)

- city-county consolidated government, director of finance — claims and warrants, 7-3-1314
- city officers, 7-7-121, 7-7-122
- city or town clerk, 7-6-212, 7-6-4234
- city or town councils, 7-6-4234, 7-7-4266
- counties, 15-18-212, 45-8-326
- county clerk and recorder, 7-4-2623
- county commissioners, board of, 7-4-2113, 7-7-121, 7-7-122, 7-7-2266, 7-14-2133, 7-14-2201
- county fairground and fairground building lessees, 7-21-3409
- county officers, 7-4-2111, 7-4-2207, 7-4-2212, 7-4-2515, 7-4-2517, 7-4-2519, 7-6-2323, 7-7-121, 7-7-122
- county sheriff, 7-32-2130, 7-32-2131
- county treasurer, 7-6-212, 7-21-2115, 7-35-2141
- damages, exemplary and punitive, 2-9-105
- defined, 33-11-102, See **INSURANCE, CASUALTY, Risk retention groups and purchasing groups**
- emergency services mutual aid agreements, parties causing liability under, 10-3-1113
- fire reports, delays in receiving and transmitting, 7-33-4114
- good faith actions of officers, agents, or employees, 2-9-103
- hospital districts and officers and employees, 7-34-2122
- immunity from, See **Immunity from liability**
- insurance, See **Insurance**
- invalid law or rule, actions under, 2-9-103
- law enforcement entities, mutual assistance, 44-11-102
- limitations, 7-1-4125, 20-3-332
- natural resources and conservation, department of — for damages in entry upon land, 85-2-115
- noxious weed management on highways, 7-22-2153
- school pupils and their parents or guardians, 20-5-201
- school safety patrol members, 20-1-408
- school trustees, 20-3-331, 20-3-332, 20-9-133, 20-9-444 — 20-9-446
- small business investment capital companies, for actions of, 90-8-204, 90-8-205
- water users' associations, 85-6-107
- weather modification and control activities, 85-3-104

Limitations on liability, Const., II, 18
Local elected executives, immunity from liability, 2-9-114
Local governments
- actions involving, See **Actions involving local governments**
- liability provisions, applicability, 7-1-4125

Medical record information, See **HEALTH CARE INFORMATION**
Natural Resources and Conservation, Department of — liability for damages in entry upon land, 85-2-115
Noxious weed management on highways, liability, 7-22-2153
Open meetings, Const., II, 9, See also **OPEN MEETINGS**
Originates in people, Const., II, 1
Participation of citizens, Const., II, 8, See **PUBLIC PARTICIPATION IN GOVERNMENT**
Perpetuities, statutory rule against — exclusions, 72-2-1005
Popular sovereignty, Const., II, 1; II, 2
Protest of governmental action, Const., II, 6
Public officers and employees, immunity from liability, 2-9-305, 7-22-2111, 85-3-104
Public participation, Const., II, 8, See **PUBLIC PARTICIPATION IN GOVERNMENT**
Right to know, Const., II, 9, See **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS; OPEN MEETINGS; PRIVACY; PUBLIC RECORDS**
School districts, self-insurance, 2-9-211, 20-3-331

GOVERNMENT (Continued)

Schools
  pupils and their parents or guardians, 20-5-201
  safety patrol members, 20-1-408
  surrogate parents of handicapped children, immunity from liability, 20-7-463
School trustees
  insurance requirements, 20-3-331, 20-6-608, 20-10-107, 20-10-109, 20-10-124, 20-10-143
  liability, 20-3-331, 20-3-332, 20-9-133, 20-9-444 — 20-9-446
Self-government, Const., II, 2
Small business investment capital companies, liability for actions of, 90-8-204, 90-8-205
Solvents, halogenated — use, registration requirements, 75-10-451
State government, See **Actions involving state government**
Trusts, charitable, 72-33-502, See **TRUSTS**
Uniform Transboundary Pollution Reciprocal Access Act, applicability of sovereign immunity, 75-16-108, See **POLLUTION**
Water users' associations, liability, 85-6-107
Weather modification and control activities, liability, 85-3-104

GOVERNMENT HEALTH CARE INFORMATION ACT, Title 50, chapter 16, part 6
  See **HEALTH CARE INFORMATION**

GOVERNOR
  See also generally **EXECUTIVE BRANCH; PUBLIC OFFICERS OR EMPLOYEES**
Absence, 20-2-101, 60-4-207, 77-1-201, 77-2-342, 87-1-209; Const., VI, 14
Accounting system improvement plans, copies submitted to, 17-1-102
Acting governor, 2-16-515, 2-16-521; Const., VI, 14
Actions against state, duty, 2-15-201
Adjutant generals' assistants, approval of appointment, 2-15-1203
Administrative powers, 2-15-103
Advisory councils, creation and approval, 2-15-122
Age, Const., VI, 3
Agencies
  allocation by, when, 2-15-125
  creation by, prohibited, 2-15-123
  legislative review, recommendations for, 2-8-105
  management and organizational structure evaluation pilot projects, 2-15-126 — 2-15-128
  property, disposition, 2-15-132
Aging, Advisory Council on
  appointments to, 2-15-231
  public health nutritionist, assistance by, 50-49-107
Aging, coordinator of — programs, assistance, 2-15-232
Aging, recommendations on, 2-15-232, 52-3-101
Agricultural loan authority program, guaranty fund minimum reserve — certification of sum required, 80-12-216
Agriculture Development Council, appointments to, 2-15-3015
Air Pollution Control Advisory Council, appointments to, 2-15-2106
Alfalfa Leaf-Cutting Bee Committee, appointments to, 2-15-3005
Alfalfa Seed Committee, appointments to, 2-15-3004
Alien prisoners, authorization for exchange or transfer under treaty agreements, 53-1-106
Alternative Health Care Board, appointments to or removal of members, 2-15-1840
Amtrak, agreements to expand service, 60-11-201
Animals, importation prohibited when, 81-2-112
Annual reports to, See **Reports from other agencies**
Appellate Defender Commission, appointments to, 2-15-1020
Appointments by
  acting state officers, 10-2-227
  advisory council members, 2-15-122

GOVERNOR (Continued)
Appointments by (Continued)

- affidavits, commissioner to take in foreign state, 26-1-1004
- aging, advisory council on, 2-15-231
- agricultural land valuation, advisory committee pertaining to, 15-7-201, 15-7-222
- agriculture development council, members, 2-15-3015
- air pollution control advisory council, members, 2-15-2106
- alfalfa leaf-cutting bee committee, members, 2-15-3005
- alfalfa seed committee, members, 2-15-3004
- alternative health care board, members, 2-15-1840
- appellate defender commission, 2-15-1020
- appointees' eligibility for public employees' retirement system, 19-3-412
- approval by legislature, 5-5-301 — 5-5-303; Const., VI, 8
- architects, board of — members, 2-15-1871
- arts council, members, 22-2-102, 22-2-103
- athletics, board of — members, 2-15-1882
- attorney general when, 2-16-505; Const., VI, 6
- ballot issues, committee to prepare argument, 13-27-402
- banking board, state — members, 2-15-1803
- barbers, board of — members, 2-15-1856
- boards, quasi-judicial — members, 2-15-124
- boundary advisory committee, Montana-western canadian provinces — members, 1-13-103
- budget director, 17-7-103
- burial preservation board, members, 22-3-804
- capitol restoration commission, members, 5-17-202
- child-care advisory council, members, 52-2-705
- children's trust fund board, members, 2-15-2402
- chiropractors, board of — members, 2-15-1847
- clinical laboratory science practitioners, board of — members, 2-15-1863
- coal board, members, 2-15-1821
- collective bargaining exemption, 39-31-103
- community service corps program
  - advisory council, 90-14-104
  - coordinator, 90-14-102, 90-14-103
- concurrence by senate, 5-5-303; Const., VI, 8
- cosmetologists, board of — members, 2-15-1857
- counties, new — commission to determine indebtedness, 7-2-2241
- county printing, board of — members, 2-15-1811
- crime control, board of — members, 2-15-2006
- dentistry, board of — members, 2-15-1842
- department heads, 2-15-111; Const., VI, 8
- depositions, commissioner to take in foreign state, 26-1-1004
- developmental disabilities planning and advisory council, members, 2-15-2204
- directors of departments, 2-15-111
- discrimination allowed when, 49-2-308
- district court judge, 3-1-1001, 3-1-1010 — 3-1-1012, 10-2-227, 13-16-503
- drought advisory committee, representatives, 2-15-3308
- duty concerning, 2-15-201; Const., VI, 8
- electrical board, state — members, 2-15-1874
- executive officer vacancies, to fill, 2-16-505; Const., VI, 6
- family services council, state — members, 52-1-202
- federal higher education programs, commission on — members, 2-15-1515
- fish, wildlife, and parks commission — members, 2-15-3402
- flathead basin commission, members, 2-15-213
- food and nutrition, state advisory council on — members, 2-15-2210
- fort peck-Montana compact board, member, 85-20-201
- funeral service, board of — members, 2-15-1853

GOVERNOR (Continued)
Appointments by (Continued)

- gender balance on boards, commissions, committees, and councils, 2-15-108
- ground water assessment steering committee, members, 2-15-1523
- hail insurance, board of — members, 2-15-3003
- health and environmental sciences, board of — members, 2-15-2104, 50-1-302
- health care authority, 50-4-201
- health facility authority, members, 2-15-1815
- hearing aid dispensers, board of — members, 2-15-1850
- highway traffic safety program, administrator, 61-2-103
- historical society, board of trustees, 22-3-104
- historic preservation officer, 2-15-1512
- horseracing, board of — members, 2-15-1881
- housing, board of — members, 2-15-1814
- human rights, commission for — members, 2-15-1706
- indian affairs, state coordinator of, 2-15-1813
- indian monument and tribal flag circle advisory committee, 22-2-602
- interstate agreement on detainers, agreement coordinator, 46-31-203
- interstate compact on juveniles, compact administrator, 41-6-102
- interstate compact on the placement of children, compact administrator, 41-4-109
- investments, board of — members, 2-15-1808
- job training coordinating council, state — members, 53-2-1105
- judges and justices, 3-1-1001, 3-1-1010 — 3-1-1014, 10-2-227; Const., VII, 8
- judicial nomination commission
  - members of, 3-1-1001
  - vacancy on commission, appointment to fill, 3-1-1003
- judicial standards commission, members, 3-1-1101 — 3-1-1103; Const., VII, 11
- labor appeals, board of — members, 2-15-1704
- landscape architects, board of — members, 2-15-1872
- legislative approval, 5-5-301 — 5-5-303; Const., VI, 8
- legislators when, 13-16-503
- library commission, state — members, 22-1-101
- lieutenant governor, 2-16-505; Const., VI, 6
- list, transmittal, 5-5-301
- livestock, board of — members, 2-15-3102
- medical examiners, board of — members, 2-15-1841
- mental disabilities board of visitors, 2-15-211
- MIAMI project advisory council, members, 2-15-2109
- microbusiness advisory council, members, 17-6-411
- militia officers, 10-1-201
- mint committee, members, 2-15-3006
- Montana arts council, members, 22-2-102, 22-2-103
- Montana student volunteer program committee members, 20-26-1409
- motorcycle safety advisory committee, members, 20-7-511
- natural areas advisory council, members, 2-15-3203
- natural resources and conservation, board of — members, 2-15-3302
- nominations to senate
  - concurrence, 5-5-303; Const., VI, 8
  - prohibited when, Const., VI, 8
  - writing, to be in, 5-5-302
- nominees submitted to governor
  - alfalfa leaf-cutting bee committee, 2-15-3005
  - alfalfa seed committee, 2-15-3004
  - district court judge, 3-1-1001, 3-1-1010 — 3-1-1012
  - mint committee, 2-15-3006
  - motorcycle safety advisory committee, 20-7-511
  - occupational licensing and regulatory boards, 37-1-132

GOVERNOR (Continued)
Appointments by (Continued)
  nominees submitted to governor (Continued)
    occupational therapy practice, board of, 2-15-1859
    outfitters, board of, 2-15-1883
    physical therapy examiners, board of, 2-15-1858
    political practices, commissioner of, 13-37-102
    pork research and marketing committee, 2-15-3103
    professional licensing and regulatory boards, 37-1-132
    supreme court justice, 3-1-1001, 3-1-1010 — 3-1-1012
    wheat and barley committee, 2-15-3002
  northern cheyenne-Montana compact board, member, 85-20-301
  nuclear compact, western interstate — board member, 90-5-202
  nursing, board of — members, 2-15-1844
  nursing home administrators, board of — members, 2-15-1845
  occupational therapy practice, board of — members, 2-15-1859
  oil compact commission, interstate — assistant representative, 82-11-304
  optometry, board of — members, 2-15-1846
  outfitters, board of — members, 2-15-1883
  pacific northwest electric power and conservation planning council, members, 90-4-402
  passenger tramway safety, board of — members, 2-15-1896
  pearl harbor memorial committee, members, 5-17-302
  personnel appeals, board of — members, 2-15-1705
  petroleum tank release compensation board, members, 2-15-2108
  pharmacy, board of — members, 2-15-1843
  physical therapy examiners, board of — members, 2-15-1858
  plumbers, board of — members, 2-15-1875
  political practices, commissioner of, 13-37-102
  pork research and marketing committee, members, 2-15-3103
  power, 2-15-103; Const., VI, 8
  preservation review board, members, 2-15-1512
  private security patrol officers and investigators, board of — members, 2-15-1891
  professional engineers and professional land surveyors, board of — members, 2-15-1873
  proprietary postsecondary educational advisory council, members, 2-15-1804
  psychologists, board of — members, 2-15-1851
  public accountants, board of — members, 2-15-1866
  public education, board of — members, 2-15-1507, 2-15-1508; Const., X, 9
  public employees' retirement board, members, 2-15-1009
  public employees' retirement system, appointees' eligibility, 19-3-412
  public officers, 2-16-203, 5-5-413; Const., VI, 8
  public service commission members, when, 69-1-106, 69-1-113
  publishing policy committee, member, 2-15-1017
  quasi-judicial boards, members, 2-15-124
  racial balance on boards, commissions, committees, and councils, 2-15-108
  radiologic technologists, board of — members, 2-15-1848
  rangeland resources committee, members, 2-15-3305
  real estate appraisers, board of — members, 2-15-1868
  realty regulation, board of — members, 2-15-1867
  regents of higher education, board of — members, 2-15-1505, 2-15-1508; Const., X, 9
  register of, 2-15-401
  representatives, state — when, 13-16-503
  representatives, united states — temporary appointment, 13-25-203
  reserved water rights compact commission, members, 2-15-212
  respiratory care practitioners, board of — members, 2-15-1860
  retirement systems, appointees' eligibility, 19-3-412
  sanitarians, board of — members, 2-15-1861
  science and technology development, board of — members, 2-15-1818
  secretary of state when, 2-16-505; Const., VI, 6

GOVERNOR (Continued)
Appointments by (Continued)

- senate confirmation, subject to, 5-5-303; Const., VI, 8
- senators, state — when, 13-16-503
- senators, united states — temporary appointment, 13-25-202
- social and rehabilitation appeals, board of — members, 2-15-2203
- social work examiners and professional counselors, board of — members, 2-15-1854
- speech-language pathologists and audiologists, board of — members, 2-15-1849
- state auditor when, 2-16-505; Const., VI, 6
- state compensation insurance fund, board of directors — members, 2-15-1019
- state land board advisory council, members, 77-1-120
- state lottery commission, 23-7-201
- state lottery director, 23-7-210
- state prevention programs, interagency coordinating council for — members, 2-15-225
- state tax appeal board, members, 15-2-101
- superintendent of public instruction when, 2-16-505; Const., VI, 6
- supreme court justice, 3-1-1001, 3-1-1010 — 3-1-1012, 13-16-503
- teachers' retirement board, members, 2-15-1010
- telecommunications services for the handicapped, committee on — members, 2-15-2212, 53-19-303
- tourism advisory council, members, 2-15-1816
- traffic safety program, administrator, 61-2-103
- transportation, director of, 2-15-2501
- unions, exclusion from provisions, 39-31-103
- united states representatives, temporary appointment, 13-25-203
- united states senators, temporary appointment, 13-25-202
- university system local executive board, members, 20-25-303
- vacancies
  - councils, boards, commissions, committees — notice requirement, 2-15-201
  - public offices, in — to fill, 2-16-505, 2-16-506; Const., VI, 6; VI, 8
- veterans' affairs, board of — members, 2-15-1205
- veterinary medicine, board of — members, 2-15-1852
  - certificate of appointment, 37-18-201
- water and wastewater operators' advisory council, members, 2-15-2105
- water pollution control advisory council, members, 2-15-2107
- water well contractors, board of — members, 2-15-3307
- western interstate commission for higher education, commissioners, 20-25-802, 20-25-806
- wheat and barley committee, members, 2-15-3002
- workers' compensation judge, 2-15-1707
- yellowstone river compact commission, member, 85-20-101

Appropriations
- expenditures, quarterly allotment system — authorization, 17-8-102
- general fund spending reductions, 17-7-140
- insufficient, authorization for expenditure of second fiscal year appropriation, 17-7-301, 17-7-311

Arbor Day, proclamation, 1-1-225
Architects, Board of — appointments to, 2-15-1871
Armed persons, importation into state, 45-8-106; Const., II, 33
Athletics, Board of — appointments to, 2-15-1882
Attorney general
- appointment when, 2-16-505; Const., VI, 6
- requests to aid county attorneys, 2-15-201, 2-15-501

Banking Board, State
- appointments to, 2-15-1803
- removal of members, 32-1-201

Barbers, Board of — appointments to or removal from, 2-15-1856
Bills, action on, See **Legislature**

GOVERNOR (Continued)

Boards
  legislative review, recommendations for, 2-8-105
  quasi-judicial, appointment of members, 2-15-124
Boundary Advisory Committee, Montana-Western Canadian Provinces —
  membership on and appointments by, 1-13-103
Budget, See also **BUDGET AND BUDGETING**
  agricultural loan guaranty fund minimum reserve requirement, sum requested, 80-12-216
  "approving authority" defined, 17-7-102
  capital construction budget, 17-7-203
  chief officer, as, 17-1-131, 17-7-103
  deficit, 17-7-140
  director
    appointment, 17-7-103
    reports and duties, 17-1-131
  economic development bonds, capital reserve account requirements, 17-5-1516
  general fund spending reductions, 17-7-140, 17-7-304
  health facility authority capital reserve account minimum reserve, amount required to restore — inclusion, 90-7-319
  housing capital reserve account requests, 90-6-120
  long-range building program, 17-7-203, 17-7-204
  municipal finance consolidation bonds or notes, capital reserve account requirements, 17-5-1516
  preliminary, 17-7-121
  recommendations and information, 17-7-121, 17-7-124; Const., VI, 9
  submission
    by budget director, 17-7-112, 17-7-121
    to legislature, 17-7-122; Const., VI, 9
  supplemental appropriations, 17-7-301, 17-7-311
Buildings
  construction, consent required when, 18-2-102
  emergency expenditures, 10-3-311
  federal funding, consent for construction, 18-2-102
  long-range building program, Title 17, chapter 7, part 2
  repairs or alterations, emergency authorization when, 10-3-311, 18-2-102
Burial Preservation Board, appointments to, 22-3-804
Canadian provinces, reciprocal agreements for workers' compensation, 39-71-426 — 39-71-428
Candidacy for other office, Const., VI, 5
Capital construction budget, 17-7-203
Capitol, emergency relocation, 10-3-607
Capitol Restoration Commission, member of and appointments by, 5-17-202
CERCLA cooperative agreements, effective when, 75-10-604
Child-Care Advisory Council, appointments to, 52-2-705
Children's Trust Fund Board, appointments to, 2-15-2402
Chiropractors, Board of — appointments to or removal from, 2-15-1847
Citizenship, Const., VI, 3
Civil defense, See **Emergency powers**
Claims
  against state, duty, 2-15-201
  disbursements, for — transmittal to, 17-8-202
Clemency, See **Executive clemency**
Clinical Laboratory Science Practitioners, Board of — appointments, 2-15-1863
Coal Board, appointments to, 2-15-1821
Collective bargaining
  appointees, exemption from provisions, 39-31-103

GOVERNOR (Continued)
Collective bargaining (Continued)

  representative of state, 39-31-301
Commander-in-chief of militia, 10-3-305; Const., VI, 13, See **Military affairs**
Commissions, gubernatorial, 2-16-204
  elections, issuance following, 2-15-401, 2-16-204, 13-15-504
  fees, 2-6-103
  register, 2-15-401
  resignations, 2-16-502
  seal, 2-15-401
Commissions, legislative review — recommendations for, 2-8-105
Communications
  assistance, 2-17-302
  between governments, 2-15-201
Community development programs, coordination, 90-1-103
Community service corps program, duties, Title 90, chapter 14, part 1
Convicts, escaped — rewards offered, 2-15-201
Corporation management, inquiries regarding, 2-15-201
Corrections
  commitment, designation of department of corrections and human services to enter interstate contracts, 46-19-303
  parolee and probationer supervision, authorization to enter interstate compact, 46-23-1102
Cosmetologists, Board of — appointments to, 2-15-1857
Counties
  abandonment and consolidation
    election
      proclamation, 7-2-2712
      vote, statement of, 7-2-2712
    resolution, transmittal to, 7-2-2707
  drinking and driving prevention programs, approval, 61-2-106
  emergencies, declaration, 7-31-2101
  new
    commission to determine indebtedness, appointment, 7-2-2241
    judicial district, proclamation of designation of attachment to, 7-2-2228
County Printing, Board of — appointments to, 2-15-1811
Crime Control, Board of
  appointments to, 2-15-2006
  designation, 44-4-301
Crime Control Commission, See **CRIME CONTROL**, generally
Criminal justice agency technical assistance and supportive services assigned by, 44-4-301
Death, 2-16-513; Const., VI, 14
Death penalty — pregnancy of defendant, satisfaction of termination, 46-19-204
Deeds, execution, 60-4-207, 87-1-209
Delegation of power, Const., VI, 4
Dentistry, Board of — appointments to or removal from, 2-15-1842
Department heads
  appointment by, 2-15-111, 39-29-101, 39-30-103; Const., VI, 8
  duties concerning, 2-15-111, 2-15-112; Const., VI, 8
Developmental Disabilities Planning and Advisory Council, appointments to, 2-15-2204
Developmentally disabled persons
  budget transfers for community services, authorization, 53-20-214
  reports to governor, 53-20-104
Directors of departments, appointment by, 2-15-111
Disability, Const., VI, 6; VI, 14
Disqualification, Const., VI, 14

GOVERNOR (Continued)

District courts
    appointment of judge when, 3-1-1001, 3-1-1010 — 3-1-1012, 10-2-227, 13-16-503
    substitute judge, request or written order for, 3-5-111, 3-5-112
Driver License Compact, executive head, 61-5-404
Drought Advisory Committee, duties, 2-15-3308
Duties generally, 2-15-201; Const., VI, 1; VI, 4; VI, 15
Education, State Board of
    duties, 20-2-101
    member, 2-15-201
Elect, See **Governor-elect**
Elected officials
    exempt from permission or approval requirements when, 2-15-105
    information from, Const., VI, 15
Election duties
    ballot issues
        certification of filing to, 13-27-308
        certification of votes to, 13-27-503
        committee to prepare arguments, appointment of member, 13-27-402
        veto, not subject to, Const., VI, 10
    canvass report to, 13-15-507, 13-27-503
    certification of votes to, 2-15-401, 13-16-502, 13-27-503
    commissioner of political practices, appointment and removal, 13-37-102
    commissions, issuance, 2-15-401, 2-16-204, 13-15-504
    congressional elections, issuance of certificates, 13-25-204
    constitutional convention, call for election for delegates, 13-26-102
    presidential electors, signing of list, 13-25-103
    proclamation, issuance, 7-2-2712
    recall elections, call, 2-16-622
    special elections called by, 2-16-622, 13-16-502, 13-26-102
    tie vote, duties, 13-16-502, 13-16-503
    vacancies prior to general election, declaration of acceptance period for nominations, 13-14-118
Election of, See also **ELECTIONS**, generally
    applicability of laws, 13-25-201
    ballot
        placement, 13-12-207
        rotation, 13-12-205
    campaign contributions, limitation, 13-37-216
    declaration for nomination, 13-10-201; Const., VI, 2
    general election, in, Const., VI, 2
    joint nomination and election with lieutenant governor, Const., VI, 2
    legislature, by, 2-16-512, 2-16-513
    manner of, 2-16-201; Const., VI, 2
    primary election, Const., VI, 2
    qualifications, Const., VI, 3
    term of office, Const., VI, 1; VI, 6
    tie vote, 13-16-504
    vacancy of lieutenant governor candidacy, effect, 13-10-328
Electrical Board, State — appointments to, 2-15-1874
Emergency powers
    aid programs, acceptance, 10-3-203
    air contaminant emissions, reduction or discontinuance — effect, 75-2-402
    capitol, relocation, 10-3-607
    commander-in-chief of militia during, 10-3-305; Const., VI, 13
    debris removal, 10-3-315

GOVERNOR (Continued)
Emergency powers (Continued)

- declaration of emergency, 10-3-104, 10-3-302, 10-3-303, 10-3-505, 17-8-106, 20-9-802
  - counties, 7-31-2101
  - noxious weed, 80-7-815
  - school elections, rescheduling, 20-20-108
  - school pupil instruction days, effect on, 20-9-806
- disaster loans, 10-3-314
- duties generally, 10-3-104
- energy emergency, See **Energy emergency powers**
- enlistments, extension, 10-1-303
- expenditure authorization and restrictions, 10-3-311, 10-3-312
- fire danger areas, closure of area to trespass, 87-3-106
- interstate compact, authority to enter, 10-3-204, 10-3-205
- loans, disaster, 10-3-314
- martial law, authority not limited, 10-3-102; Const., VI, 13
- military personnel, extension of enlistment, 10-1-303
- mutual aid agreements, negotiation, 10-3-202
- national guard, order for tactical incident assistance, 10-3-704, 10-3-705
- postattack emergency, 10-3-501, 10-3-503, 10-3-505
- powers generally, 10-3-104
- proclamation, 7-31-2101, 10-3-104, 10-3-105, 10-3-302 — 10-3-304, 10-3-313, 10-3-505
- resources management, 10-3-501 — 10-3-503, 10-3-505
- response and recovery activities, 10-3-105
- tactical incidents, 10-3-704, 10-3-705
- temporary housing, arrangement for, 10-3-313
- wreckage removal, 10-3-315

Endangered species' management programs, responsibility regarding, 87-5-108
Energy conservation program for state buildings
- energy cost savings, 90-4-614
- project recommendations, submission, 90-4-606
- report, 90-4-605, 90-4-606

Energy emergency powers
- alert, declaration, 90-4-309
- criteria for declaration of alert or emergency, 90-4-308
- curtailment plans, requirement and approval, 90-4-307, 90-4-310
- development of provisions, 90-4-304
- disaster and emergency services laws supplemented, 90-4-317
- distributors, orders to, 90-4-314
- emergency, declaration or termination, 90-4-310
- enforcement, 90-4-313
- establishment, 90-4-301, 90-4-310
- expenditures authorized, 90-4-318
- information gathering powers, 90-4-305, 90-4-306
- orders, publication, 90-4-316
- reports to, 90-4-305
- rulemaking authority, 90-4-316
- subpoena power, 90-4-305

Environmental contingency account
- control and financial report, 75-1-1101, 85-5-110
- metal mines, environmental emergency — application for funds, approval, 82-4-357
- grant application, submission to, 75-10-704

Environmental impact statements
- copies, availability, 75-1-201
- fees, collection, 75-1-206

Environmental Quality Council, ex officio member, 5-16-101
Environmental quality studies, reports, and recommendations, 75-1-324

GOVERNOR (Continued)

Environmental review of facility, designation by, 75-20-202
Examiners, Board of — member, 2-15-201, 2-15-1007, 17-5-605, 17-5-615
Executive branch
- chief, 2-15-103
- legislative review, recommendations for, 2-8-105
- officer, Const., VI, 1
- review, 2-7-103

Executive clemency, See also **PROBATION, PAROLE, AND CLEMENCY, Executive clemency**
- advice to, 46-23-301
- application to, when, 46-23-301, 46-23-315
- authority, 46-23-103, 46-23-315; Const., VI, 12
- decision of board of pardons to, 46-23-307
- definitions, 46-23-301
- final authority, 46-23-301
- hearing record, review, 46-23-301
- recommendation to, 46-23-301, 46-23-307
- report to legislature, 46-23-316
- youth correctional facility, commutation of sentence to, 52-5-111

Executive orders, 2-15-125, 2-15-137, 2-15-1816
Executive power vested in, Const., VI, 4
Extradition
- authority, 2-15-201
- from another state
  - application to, 46-30-401
  - demand by, 46-30-402
  - prosecution pending in other state, agreement for extradition before conclusion, 46-30-403
- nonsupport, duties respecting, 40-5-153, 40-5-154
- to another state
  - absence from demanding state when crime committed, when, 46-30-204
  - discretion, 46-30-202
  - duty of governor, 46-30-201
  - guilt of accused, may not inquire, 46-30-225
  - investigation, call for, 46-30-212, 46-30-225
  - involuntary departure from demanding state, when, 46-30-203
  - prosecution pending in this state, discretionary authority, 46-30-202
  - waiver, filing with, 46-30-228
  - warrant
    - alias, 46-30-214
    - issuance, 46-30-213
    - recall, 46-30-214

Family Services Council, State — appointments to, 52-1-202
Federal aid, order to effectuate receipt, 2-15-137
Federal assistance programs, duties, 17-3-101, 17-3-105
Federal Comprehensive Environmental Response, Compensation, and Liability Act cooperative agreements — effective when, 75-10-604
Federal Higher Education Programs, Commission on
- appointments to, 2-15-1515
- assignation of duties, 20-2-403

Federal surplus property, state agency for — designation, 2-15-1011, 18-5-201
Federal waterfowl and wildlife area proposals, submission for review, 87-1-713
Fire danger areas, closure of area to trespass when, 87-3-106
Fire department relief associations, mishandling of funds reported to, 19-18-206
Fish, Wildlife, and Parks Commission — appointments to, 2-15-3402

GOVERNOR (Continued)

Fish, Wildlife, and Parks — Department of
  cooperative agreements on federally owned land, approval, 87-1-703, 87-1-709
  land or water sales, execution of deed, 87-1-209
Flathead Basin Commission
  allocation, 2-15-213
  members, appointment, 2-15-213
  recommendations, 75-7-305
  report, biennial, 75-7-304
Food and Nutrition, State Advisory Council on
  appointments to, 2-15-2210
  reports by, 50-49-105
Fort Peck-Montana Compact Board member, appointment by or governor as, 85-20-201
Funeral Service, Board of — appointments to, 2-15-1853
Gender balance on boards, commissions, committees, and councils, 2-15-108
Good Roads Day, proclamation, 60-1-104
Governor-elect
  budget duties, 17-7-121
  failure or inability to assume office, Const., VI, 6; VI, 14
  staff and services provided, 2-15-221
Ground Water Assessment Steering Committee, appointments to, 2-15-1523
Hail Insurance, Board of — appointments to or removal from, 2-15-3003
Hazardous waste management agreements, approval, 75-10-419
Health
  federal programs, request for, 50-1-202
  inspections at request of, 50-1-202
  state plan, approval, 50-5-101
Health and Environmental Sciences, Board of — appointments to, 2-15-2104, 50-1-302
Health Care Authority, appointment duties, 50-4-201
Health Facility Authority
  appointments to, 2-15-1815
  capital reserve account, certification of amount required to restore minimum reserve, 90-7-319
Hearing Aid Dispensers, Board of — appointments to, 2-15-1850
Highway traffic safety program, See **Traffic safety program**
Historical Society
  board of trustees, appointments to, 22-3-104
  report to governor, biennial, 22-3-107
Historic preservation officer, appointment, 2-15-1512
Holidays, designated by, 20-1-306
Horseracing, Board of — appointments to or removal from, 2-15-1881
Housing, Board of — appointments to, 2-15-1814
Housing, capital reserve account appropriations requests, 90-6-120
Human Rights, Commission for — appointments to, 2-15-1706
Immunity from liability, 2-9-113, See also **GOVERNMENT**
Impeachment, subject to, Const., V, 13; Title 5, chapter 5, part 4, See **IMPEACHMENT**
Importation
  animals, prohibited when, 81-2-112
  armed persons into state, 45-8-106; Const., II, 33
Inability to perform duties, 2-16-513, 2-16-515; Const., VI, 6; VI, 14
Indian affairs, state coordinator of — appointment, 2-15-1813
Indian Monument and Tribal Flag Circle Advisory Committee, appointments to, 22-2-602
Indian tribes
  state jurisdiction, proclamation for, 2-1-302, 2-1-306
  state-tribal cooperative agreements, governing body, 18-11-103

GOVERNOR (Continued)

Interstate Agreement on Detainers, appointment of coordinator, 46-31-203
Interstate Compact on Juveniles, appointment of administrator, 41-6-102
Interstate Compact on the Placement of Children, executive head and appointment of administrator, 41-4-109
Investigatory committees and reports, Const., VI, 15
Investments, Board of
  economic development bond capital reserve account requirement, certification of sum, 17-5-1516
  members, appointment, 2-15-1808
  reports by, 17-5-1650
Ionizing radiation sources, federal-state agreements for, 75-3-203
Job training
  annual report submitted to, 53-2-1107
  job training plan, submission to legislature, 53-2-1110
  state job training coordinating council, appointments to and recommendations by, 53-2-1105
Judicial Nomination Commission
  judicial nomination from list of nominees, 3-1-1011 — 3-1-1014
  members of commission to be appointed by, 3-1-1001
  nominees, list of — to be supplied to governor, 3-1-1001, 3-1-1007, 3-1-1008, 3-1-1010; Const., VII, 8
  secretary, notification of election of and correspondence with governor, 3-1-1006
  vacancy on commission, appointment to fill, 3-1-1003
Judicial Standards Commission, appointments to, 3-1-1101 — 3-1-1103; Const., VII, 11
Jurisdiction
  blackfeet highway, police jurisdiction — notification, 2-1-206
  fort peck dam territory, police or military jurisdiction — notification, 2-1-209
  glacier national park, police or military jurisdiction — notification, 2-1-205
  national park purposes, acceptance for lands dedicated to, 2-1-215, 2-1-216
Labor Appeals, Board of — appointments to, 2-15-1704
Labor organizations, See **Collective bargaining**
Land Commissioners, Board of
  member, 2-15-201; Const., X, 4
  president, as, 77-1-201
Landscape Architects, Board of — appointments to, 2-15-1872
Land warrants and patents, issuance, 2-15-201
Legislative Audit Committee, recommendations for agency and program review, 2-8-105
Legislative auditor, violations reported by, 5-13-304
Legislature
  ability to govern, determination, Const., VI, 14
  appointment of legislators when, 13-16-503
  appointments by governor, approval procedures, 5-5-301 — 5-5-303; Const., VI, 8
  bills, action on, Const., VI, 10
    approval, 5-4-302; Const., VI, 10
    bills submitted to, exceptions, 5-4-301; Const., VI, 10
    endorsement, 5-4-301; Const., VI, 10
    no action, bill becomes law, 5-4-307; Const., VI, 10
    vetoes, Const., VI, 10
      amendatory, 5-4-304; Const., VI, 10
      legislature adjourned for day, 5-4-306
      legislature not in session, 5-4-306
      line item, 5-4-303, 5-4-305; Const., VI, 10
      override by legislature, 5-4-305
      poll of legislature when not in session, 5-4-306; Const., VI, 10
      transmittal, 5-4-308

GOVERNOR (Continued)
Legislature (Continued)

- claims for disbursements, transmittal, 17-8-202
- election of governor when, 2-16-512, 2-16-513
- majority party candidate elected to office when, 5-2-216
- reclamation and development grants
  - funding approval, recommendation for, 90-2-1112
  - proposals and priorities, submission to, 90-2-1111
- reports to, 2-15-108, 2-15-125, 5-11-210, 17-7-301, 39-51-407, 85-1-704; Const., VI, 9
  - executive clemency, 46-23-316
- special sessions, call for, 5-2-103, 5-3-101, 10-3-505; Const., V, 6; VI, 11

Library Commission, State — appointments to, 22-1-101
Lieutenant governor
- appointment when, 2-16-505; Const., VI, 6
- duties delegated to, 2-15-302, See **LIEUTENANT GOVERNOR**

Litigation involving state, 2-15-201
Livestock, Board of — appointments to, 2-15-3102
Livestock marks or brands, rerecording fees — emergency expenditure authorized by, 81-3-107
Local government infrastructure projects, recommendations, 90-6-710
Long-range building program, Title 17, chapter 7, part 2
Lottery, state
- audit reports to, 23-7-410, 23-7-411
- commission
  - appointments to or removal from, 23-7-201
  - reports by, 23-7-202
- director, appointment, 23-7-210
- security invasion techniques, reports to, 23-7-412

Mansion
- centennial mansion, 2-17-127, 77-1-221, 77-1-222
  - council, 2-17-127
- executive mansion, sale, 77-1-222

Martial rule, 10-1-106, 10-3-102; Const., VI, 13, See also **EMERGENCIES AND EMERGENCY POWERS**, generally
Medal of Valor, awarding, 1-1-515
Medical Examiners, Board of — appointments to or removal from, 2-15-1841
Mental Disabilities Board of Visitors
- appointment by and allocation, 2-15-211, See also **DEVELOPMENTALLY DISABLED PERSONS; MENTAL ILLNESS OR INCAPACITY**
- reports to, 53-20-104, 53-21-104

Mental illness
- interstate compact, copy to, 53-22-106
- of governor, Const., VI, 6; VI, 14
- protection and advocacy system, designation, 53-21-169
- reports, 53-21-104

MIAMI Project Advisory Council, appointments to, 2-15-2109
Microbusiness Advisory Council, appointment of members, 17-6-411
Military affairs, See also **Emergency powers**
- adjutant general's assistants, approval of appointment, 2-15-1203
- commander-in-chief, as, 10-3-305; Const., VI, 13
- department of
  - buildings, consent for construction, 18-2-102
  - direction, 10-1-102
- enlisted members of militia
  - extension of enlistment, 10-1-303
  - retirement, 10-1-304

GOVERNOR (Continued)
Military affairs (Continued)

- home guard
    - armories, state — availability to, 10-1-703
    - federal aid, requisition, 10-1-703
    - organization, maintenance, and disbanding, 10-1-701
    - rulemaking authority, 10-1-702
- martial rule, declaration, 10-1-106, 10-3-102; Const., VI, 13
- national guard, order for tactical incident assistance, 10-3-704, 10-3-705
- officers of militia
    - appointment, 10-1-201
    - discharge, 10-1-205
    - fitness examination, requirements and approval, 10-1-206
    - resignation, 10-1-204, 10-1-205
    - retirement, 10-1-203
- rules, authority to prescribe, 10-1-105
- state officers, acting — appointment, 10-2-227
- veterans
    - appointment of "acting" state officers, 10-2-227
    - federal reimbursement, 10-2-107
    - reemployment applications, receipt of, 10-2-223

Mint Committee, appointments to, 2-15-3006
Montana Arts Council
- executive officers, appointment, 22-2-103
- members, appointment, 22-2-102

Motorcycle Safety Advisory Committee, appointments to, 20-7-511
Motor pool provisions, applicability, 2-17-411
Motor vehicles, state-owned — emergency purchase, 2-17-403
Municipal commission government, certificate of adoption transmitted to, 7-3-4212
Municipal commission-manager form of government, certificate of adoption transmitted to, 7-3-4309
Municipal finance consolidation bond or note defaults, trustee's notice of principal due and payable, 17-5-1647
National guard, order for tactical incident assistance, 10-3-704, 10-3-705
Natural Areas Advisory Council, appointments to, 2-15-3203
Natural Resources and Conservation, Board of — appointments to, 2-15-3302
Northern Cheyenne-Montana Compact Board member, 85-20-301
Nuclear Compact, Western Interstate — appointment of board member, 90-5-202
Nuclear facilities, review of evacuation and medical aid plans concerning, 75-20-1204
Nursing, Board of — appointments to or removal from, 2-15-1844
Nursing Home Administrators, Board of — appointments to or removal from, 2-15-1845
Oath, 2-16-211; Const., III, 3
Occupational Therapy Practice, Board of — appointments to or removal from, 2-15-1859
Office, location, 2-16-111; Const., VI, 1
Official acts, attestation, 2-15-401
Official records, See **PUBLIC RECORDS, Executive branch officers**
Oil and Gas, Interstate Compact to Conserve
- authorization to enter, 82-11-301
- extension, authorization to enter agreements for, 82-11-303
- representative to commission, as, 82-11-304
- withdrawal time, determination, 82-11-303

Oil and gas programmatic environmental statements, responsibilities, 75-1-201
Open-space lands, powers of public body exercised by, 76-6-109
Optometry, Board of — appointments to, 2-15-1846
Outfitters, Board of — appointments to, 2-15-1883
Pacific Northwest Electric Power and Conservation Planning Council, appointments to or removal from, 90-4-402

GOVERNOR (Continued)

Parolees, entry into interstate compact for supervision, 46-23-1102
Passenger Tramway Safety, Board of — appointments to or removal from, 2-15-1896
Pearl Harbor Memorial Committee, members — appointment, 5-17-302
Personnel Appeals, Board of — appointments to, 2-15-1705
Petroleum Tank Release Compensation Board, appointments to, 2-15-2108
Pharmacy, Board of — appointments to or removal from, 2-15-1843
Physical Therapy Examiners, Board of — appointments to or removal from, 2-15-1858
Plumbers, Board of — appointments to, 2-15-1875
Pork Research and Marketing Committee
  appointments to, 2-15-3103
  removal from, 81-8-604
Postattack recovery and rehabilitation emergencies, 10-3-501, 10-3-503, 10-3-505
Powers
  administrative, 2-15-103
  emergency, See **Emergency powers**
  generally, 2-15-201; Const., VI, 1; VI, 4, VI, 15
  separation, Const., III, 1
Power-Tobin Mansion as governor's centennial mansion, 77-1-221
Preservation Review Board, appointments to, 2-15-1512
Printing contracts, approval, 18-7-101
Prisoners, alien — authorization for exchange or transfer under treaty agreements, 53-1-106
Private Security Patrol Officers and Investigators, Board of — appointments to or removal from, 2-15-1891
Probationers, entry into interstate compact for supervision, 46-23-1102
Proclamations
  animal importation, to prohibit, 81-2-112
  arbor day, 1-1-225
  capitol, relocation, 10-3-607
  counties
    abandonment and consolidation, election results, 7-2-2712
    new, designation of attachment to judicial district, 7-2-2228
  emergency, 7-31-2101, 10-3-104, 10-3-105, 10-3-302 — 10-3-304, 10-3-313, 10-3-505
  good roads day, 60-1-104
  indian tribes, state jurisdiction, 2-1-302, 2-1-306
  martial rule, 10-1-106, 10-3-102
  militia, extension of enlistment of enlisted members, 10-1-303
  postattack recovery and rehabilitation emergency, 10-3-505
Professional Engineers and Professional Land Surveyors, Board of — appointments to or removal from, 2-15-1873
Proprietary Postsecondary Educational Advisory Council, appointments to, 2-15-1804
Psychologists, Board of
  appointments to, 2-15-1851
  meetings requested by, 37-17-201
  recommendations made by, 37-17-202
Public Accountants, Board of — appointments to or removal from, 2-15-1866
Public Education, Board of
  appointments to, 2-15-1507, 2-15-1508; Const., X, 9
  meetings called by, 20-2-112
  member, 2-15-1507; Const., X, 9
Public Employees' Retirement Board
  appointments to, 2-15-1009
  investments, board of — member appointed to, 2-15-1808
Public office, may not hold other public office, Const., VI, 5
Public participation in government, insurance of guidelines for, 2-3-103

GOVERNOR (Continued)

Public service commissioners
  appointment when, 69-1-106, 69-1-113
  suspension, 69-1-113
Publishing Policy Committee, designation of member, 2-15-1017
Qualifications, Const., VI, 3
Quo warranto, proceedings directed by, 27-28-103
Racial balance on boards, commissions, committees, and councils, 2-15-108
Radiation sources, federal-state agreements for, 75-3-203
Radiologic Technologists, Board of — appointments to, 2-15-1848
Rail passenger service applications, agreements for, 60-11-201
Rangeland Resources Committee, appointments to, 2-15-3305
Real Estate Appraisers, Board of — appointments to or removal from, 2-15-1868
Realty Regulation, Board of — appointments to, 2-15-1867
Reclamation and development grants program projects
  funding approval, recommendation for, 90-2-1112
  recommendations, 90-2-1111, 90-2-1113, 90-2-1114
Records, official, See **PUBLIC RECORDS, Executive branch officers**
Regents of Higher Education, Board of
  appointments to, 2-15-1505, 2-15-1508; Const., X, 9
  buildings, joint consent for construction required when, 18-2-102
  meetings called by, 20-2-112
  member, 2-15-1505; Const., X, 9
Removal from office, Const., VI, 14
Reports from other agencies, 2-15-201; Const., VI, 15
  administration, department of, 2-18-102
  agriculture, department of, 80-7-713
  authority, 2-15-201; Const., VI, 15
  building and loan associations, annually by department of commerce, 32-2-306
  commerce, department of, 37-15-202
  department heads, 2-15-112
  developmentally disabled persons, residential facilities and habilitation programs, 53-20-104
  development corporations, annually made available by department of commerce, 32-4-306
  drought advisory committee, 2-15-3308
  duties regarding, 2-15-201; Const., VI, 15
  energy supplies, 90-4-305
  executive officers, from, Const., VI, 15
  flathead basin commission, 75-7-304
  food and nutrition, state advisory council on, 50-49-105
  historical society, 22-3-107
  institutions, on, Const., VI, 15
  investigatory reports, Const., VI, 15
  investments, board of, 17-5-1650
  labor and industry, department of, 39-6-101, 39-7-103, 39-51-301, 39-51-407
  law enforcement academy, annually by department of justice, 44-10-202
  mental disabilities board of visitors, 53-20-104, 53-21-104
  mental illness
    mental health facilities and treatment programs, 53-21-104
    state and community resources, activities and recommendations, 53-21-202
  multistate tax commission, 15-1-601
  natural resources and conservation, department of, 76-11-203, 90-4-605
  power to require, 2-15-201; Const., VI, 15
  public employees' retirement board, 19-17-202
  public employees' retirement system, annually by department of administration, 19-2-407
  revenue, director of, 2-7-104

GOVERNOR (Continued)
Reports from other agencies (Continued)

- savings and loan associations, annually by department of commerce, 32-2-306
- science and technology development, board of, 90-3-203
- state lottery commission, 23-7-202
- taxation, 2-7-104, 15-1-205, 15-1-601
- unemployment insurance, 39-51-301, 39-51-407
- unified investment program, Const., VIII, 13
- upper clark fork steering committee, 85-2-338
- women's employment, 39-7-103
- workers' compensation rates, examination and review, 39-71-2362, 39-71-2363
- youth court, 41-3-1004

Reports to legislature, See **Legislature**
Reserved Water Rights Compact Commission, attachment to and appointment, 2-15-212
Residence, Const., VI, 1; VI, 3
Resignations, by and made to, 2-16-502; Const., VI, 6; VI, 14, See also **PUBLIC OFFICERS OR EMPLOYEES**, **Vacancy in office**
Respiratory Care Practitioners, Board of — appointments to, 2-15-1860
Resumption of duties, Const., VI, 14
Revenue studies submitted to, 2-7-104
Rewards offered by, 2-15-201
Salary, 2-16-405; Const., VI, 5, See also **WAGES AND SALARIES**, **State officers**
Sale of state property, approval, 18-6-101, 18-6-102
Sanitarians, Board of — appointments to, 2-15-1861
Schools, acceptance of federal money for, 20-9-603
Science and Technology Development, Board of

- appointments to, 2-15-1818
- reports, 90-3-203

Separation of powers, Const., III, 1
Social and Rehabilitation Appeals, Board of — appointments to, 2-15-2203
Social security system

- federal-state agreements, 19-1-401, 19-1-824
- higher education, institutions of — referendum procedures, 19-1-822, 19-1-823
- referendum procedures, 19-1-301 — 19-1-304, 19-1-822, 19-1-823

Social Work Examiners and Professional Counselors, Board of

- appointments to, 2-15-1854
- professional counselor provisions, recommendation for amendment, 37-23-103

Solid waste management plans, submission to, 75-10-111
Sovereign immunity, See **GOVERNMENT**
Speech-Language Pathologists and Audiologists, Board of

- appointments to, 2-15-1849
- recommendations by, 37-15-202

State Land Board Advisory Council, appointment, 77-1-120
State lands

- certificates of purchase signed by, 77-2-327
- patents, execution, 77-2-342

State lottery, See **Lottery, state**
State Prevention Programs, Interagency Coordinating Council for — appointments to and allocation, 2-15-225
State special revenue fund, approval for use of account reserves, 37-3-314
State Tax Appeal Board, appointments to and designation of chairman, 15-2-101, 15-2-103
Statewide classification and pay plans, reports concerning, 2-18-102
Succession, Const., VI, 6; VI, 14

- acting governor, 2-16-515, 2-16-521; Const., VI, 14
- actions, public officer as party to — substitution of party, Title 25, chapter 20, M.R.Civ.P., Rule 25(d)
- election by legislature, 2-16-512, 2-16-513

GOVERNOR (Continued)
Succession (Continued)
- emergency, 2-16-513, 10-3-602
- governor-elect, Const., VI, 14
- president of senate
  - as acting governor, 2-16-515
  - as governor, 2-16-511
- senior member of legislature as governor, 2-16-513
- speaker of house of representatives
  - as acting governor, 2-16-515
  - as governor, 2-16-511
- successor
  - term and powers, 2-16-514; Const., VI, 6; VI, 14
  - termination or incapacitation, effect, 2-16-513
- writings concerning, Const., VI, 14

Supervision by, 2-15-201; Const., VI, 8
Support enforcement, duties respecting, 40-5-153, 40-5-154
Supreme court justices, appointment when, 3-1-1001, 3-1-1010 — 3-1-1012, 13-16-503
Surplus property, federal — designation of state agency for, 2-15-1011, 18-5-201
Tactical incidents, order for national guard assistance, 10-3-704, 10-3-705
Taxation
- consultation with department of revenue, 2-7-104, 15-1-204
- new coal production, quarterly statements and agreements — order for disclosure, 15-35-205
- reports from department of revenue, 2-7-104, 15-1-205
- state tax appeal board, 15-2-101, 15-2-103

Teachers' Retirement Board
- appointments to, 2-15-1010
- investments, board of — member appointed to, 2-15-1808

Telecommunications Services for the Handicapped, Committee on — appointments to, 2-15-2212, 53-19-303
Term of office, Const., IV, 8; VI, 1; VI, 6
Torts, See **GOVERNMENT; TORTS**
Tourism Advisory Council — appointments to, replacement by, and advice from, 2-15-1816
Tourism regions, establishment, 2-15-1816
Traffic safety program
- duties generally, 61-2-103
- federal funds, 61-2-104
- local programs, approval, 61-2-105

Transportation
- director of, appointment, 2-15-2501
- furnished by department of justice, 44-1-104

Transportation, Department of — execution of deed or conveyance for land sales by, 60-4-207
Travel expenses, 2-18-501
Unions, See **Collective bargaining**
United States representatives, temporary appointment, 13-25-203
United States senators, temporary appointment, 13-25-202
University system
- health inspections at request of, 50-1-202
- local executive board members, appointment or removal, 20-25-303

Vacancies in public offices, appointments to fill, 2-15-108, 2-15-201, 2-16-505, 2-16-506; Const., VI, 6; VI, 8
Vacancy in office, 2-16-511, 10-3-602; Const., VI, 6; VI, 14, See also **Succession**
Vehicle Equipment Safety Compact, executive head, 61-2-209
Veterans, See **Military affairs**
Veterans' Affairs, Board of — appointments to, 2-15-1205

GOVERNOR (Continued)

Veterinary Medicine, Board of — appointments to or removal from, 2-15-1852
    certificate of appointment, 37-18-201
Veto power, Const., VI, 10, See also **Legislature**, bills, action on
Visitors, Board of, See **DEVELOPMENTALLY DISABLED PERSONS**, **Mental Disabilities Board of Visitors**; **MENTAL ILLNESS OR INCAPACITY**, **Mental Disabilities Board of Visitors**
Volume cap bonds, allocations — authorization by, 17-5-1312, 17-5-1314
Wastewater treatment works revolving fund, compliance with federal act — determination of progress, 75-5-1104
Water and Wastewater Operators' Advisory Council, appointments to, 2-15-2105
Water mediator, request for appointment, 85-5-110
Water Pollution Control Advisory Council, appointments to, 2-15-2107
Water storage projects, report concerning, 85-1-704
Water Well Contractors, Board of — appointments to, 2-15-3307
Western Interstate Commission for Higher Education, appointment of commissioners, 20-25-802, 20-25-806
Western Regional Higher Education Compact, notice regarding, 20-25-802
Wheat and Barley Committee, appointments to or removal from, 2-15-3002
Workers' compensation
    agreements with other governmental entities, approval, 39-71-402
    canadian provinces, reciprocal agreements, 39-71-426 — 39-71-428
    rates, examination and review, 39-71-2362, 39-71-2363
    state compensation insurance fund, board of directors — appointments to, 2-15-1019
Workers' compensation judge, appointment by, 2-15-1707
Yellowstone River Compact Commission member, selection, 85-20-101

GRAIN, Title 80, chapter 4
    See **AGRICULTURAL COMMODITIES**

GRAND JURY
    See **CRIMINAL PROCEDURE**; **JURIES AND JURORS**

GRANDPARENT VISITATION, 40-4-217, 40-9-101, 40-9-102
    See also **CHILD CUSTODY**

GRANTS
Administrative rule negotiated rulemaking committees, acceptance, 2-5-110
Aging, programs or services, 52-3-102, 53-21-402
Agricultural chemical ground water protection, 80-15-301
Agricultural Experiment Station, 20-25-231, 80-7-814
Agriculture, Department of — authority, 80-7-813, 80-7-814, 80-7-1102, 80-7-1107, 80-11-208
Agriculture Development Council, authority, 90-9-202, 90-9-306
Aid to families with dependent children (AFDC), 53-4-231, 53-4-241 — 53-4-243, 53-4-246
Airports and landing fields, 67-1-304, 67-2-403, 67-10-405, 67-11-205, 67-11-303, 67-11-305
    disposal of property, limitations, 67-10-222, 67-11-232
    operation and use privileges, limitations, 67-10-302, 67-11-211
Air quality, 75-2-112, 75-2-206
Alfalfa Seed Committee, acceptance, 80-11-304
Antiquities, preservation, 22-3-422, 22-3-423, 22-3-603
Art
    cultural and aesthetic projects, Title 22, chapter 2, part 3
    facilities for, program, 7-16-2202, 7-16-2205
    state buildings, for, 22-2-404
Banks, federal deposit insurance corporation aid, 32-1-602

GRANTS (Continued)

Battered spouses grant program, 3-10-601, 46-18-235; Title 52, chapter 6, part 1
Block grants, federal community services, Title 53, chapter 10, part 5
Blind or visually handicapped persons, vending facilities, 18-5-404
Brain injury, traumatic — trust fund, 53-6-502
Burial Preservation Board, acceptance, 22-3-804, 22-3-811
Cemeteries, 7-8-103
Cemetery associations, authority, 35-20-215
Cemetery districts, 7-35-2109
Chemical dependency programs, 53-24-108, 53-24-204, 53-24-206
Child abuse and neglect prevention program, 41-3-703
Child-care resource and referral programs, 52-2-711
Cities and towns
  acceptance, 7-1-4124, 7-8-103
  housing authorities, acceptance, 7-15-4416, 7-15-4460, 7-15-4466, 7-15-4501, 7-15-4511
  industrial infrastructure development, 7-15-4301
  notes, issuance and sale in anticipation of, 7-7-109
  parking commissions, 7-14-4622
  port authorities, 7-14-1126, 7-14-1133, 7-14-1136
  rehabilitation of private dwellings, 7-15-4103
  urban renewal, 7-15-4252, 7-15-4258, 7-15-4260, 7-15-4267, 7-15-4281, 7-15-4301
  water pollution abatement or prevention, 7-7-4405
  who may make, 7-1-4124, 7-8-104
City-county consolidated governments, special services, 7-3-1311
Coal impact areas, Title 90, chapter 6, part 2
Commerce, Department of — authority, 90-1-102
Community and urban forestry program, support, 77-5-404
Community college district trustees, acceptance, 20-15-225
Community service corps and volunteer projects, 90-14-103, 90-14-105
Conservation districts, 7-6-2218, 76-15-404, 76-15-408, 76-15-501, 76-15-530, 90-2-140
Cooperative Extension Service, crop weed management research, 80-7-814
Corrections and Human Services, Department of — acceptance, 53-20-504, 53-21-202, 53-21-402, 53-24-204, 53-24-206
Counties
  acceptance, 7-8-103, 7-16-2105
  cemetery districts, 7-35-2109
  depletion allowance reserve fund, 7-34-2402
  hard-rock mine trust reserve account funds to provide, 7-6-2225
  hospitals and nursing homes, 7-34-2402, 7-34-2411
  housing authorities, acceptance, 7-15-2120, 7-15-2121
  mosquito control districts, 7-22-2415
  notes, issuance and sale in anticipation of, 7-7-109
  port authorities, 7-14-1126, 7-14-1133, 7-14-1136
  restrictions, 7-7-2103
  rodent control programs, 7-22-2216
  water and/or sewer districts, 7-6-2218, 7-13-2217
  weed management, 7-22-2142, 80-7-810, 80-7-813, 80-7-814
County clerk and recorder
  indexes, 7-4-2619
  recording, 7-4-2613, 7-4-2618
County welfare departments, authority, 53-2-602
Criminal investigations, federal grants — matching funds, 44-13-103
Cultural and aesthetic projects, Title 22, chapter 2, part 3
Day care resource and referral programs, 52-2-711
Deaf and Blind, Montana School for the, 20-8-101, 20-8-111; Title 17, chapter 3, part 10
Defined, 70-1-507

GRANTS (Continued)

Detention services for youth, 41-5-1001 — 41-5-1008
Developmental disability services, 52-4-110, 53-20-203, 53-20-504
Development corporations, 32-4-201, 32-4-206
Discrimination in distribution prohibited, 49-3-206
Displaced homemaker programs, 39-7-304 — 39-7-307
District courts, state grants to, 3-5-901, 7-6-2352
Domestic violence grant programs, 3-10-601, 46-18-235; Title 52, chapter 6, part 1
Drug Abuse Resistance Education (D.A.R.E.) Program, for, 44-2-703
Economic development
  certified communities program, 90-1-116
  commerce, department of — acceptance, 90-1-102
  federal community development block grant program, 90-1-103
Elections, facsimile voter registration and voting — implementation, 13-13-278
Emergency medical services, 50-6-103, 50-6-304
Emergency or disaster purposes, 10-3-203, 10-3-313, 10-3-315
Eminent domain, federal financial assistance, See **EMINENT DOMAIN**, generally
Energy
  agriculture, conservation in, 90-2-140
  conservation grants, tax incentives, 15-32-103, 15-32-201, 15-32-402
  renewable sources and conservation development, Title 90, chapter 4, part 1
  state buildings, for efficiency analysis, 90-2-141
  weatherization programs, 90-4-201, 90-4-215
Environmental contingency grant program, See **ENVIRONMENTAL PROTECTION, Contingency grant program**
Executive branch department heads, authority, 2-15-112
Facility siting, 75-20-111
Family Services, Department of — acceptance, 41-3-1103, 52-2-711, 52-3-102
Federal community development block grant program, 90-1-103
Federal community services block grants, Title 53, chapter 10, part 5
Fire Services Training School, 20-31-401
Fish and wildlife
  crimestoppers program, 87-5-605
  mitigation trust fund, 87-1-611, 87-1-612, 87-1-614
  paddlefish egg caviar products sale proceeds used as seed money, 87-4-601
  river restoration program, 87-1-258
Fish, Wildlife, and Parks — Department of, authority, 23-1-102, 23-1-303, 23-2-101, 87-1-258, 87-1-611, 87-5-605
Flathead Basin Commission, authority, 75-7-305
Food programs and nutrition services, 50-49-106
Forestry program, community and urban — support, 77-5-404
Handicapped persons, telecommunications services and equipment — program for, 53-19-309, 53-19-310
Hazardous waste management, 75-10-404, 75-10-704
Health and Environmental Sciences, Board of — acceptance, 75-2-206, 75-5-502
Health and Environmental Sciences, Department of — authority, 50-5-404, 50-6-103, 50-6-304, 50-70-105, 75-2-112, 75-3-201, 75-5-503, 75-5-1104, 75-10-105, 75-10-125, 75-10-404, 75-10-704, 80-15-301
Health Facility Authority, acceptance, 90-7-202
Higher education
  federal higher education programs, commission on — administration, 20-2-403
  resident student financial assistance program, 20-26-201, 20-26-202
Historical Society, acceptance, 22-3-603
Historic preservation, 22-3-422, 22-3-423, 22-3-603
Hospitals
  acceptance, 7-8-103

GRANTS (Continued)
Hospitals (Continued)

county-operated, 7-34-2402, 7-34-2411
Housing authorities
county, acceptance, 7-15-2120, 7-15-2121
municipal, acceptance, 7-15-4416, 7-15-4460, 7-15-4466, 7-15-4501, 7-15-4511
Housing, Board of — authority, 90-6-104
Indexes, 7-4-2619
Indian child welfare specialist, acceptance, 52-2-117
Industrial development, tax levy for — use limitation, 90-5-112
Industrial infrastructure development, 7-15-4301
Institutions generally
endowments, Title 17, chapter 3, part 10
payment for care, per diem charges — nonapplicability of federal grants, 53-1-401, 53-1-501, 53-1-502
Investments, Board of — acceptance, 17-5-1504
Investment, treasury funds for, 17-6-202, 17-6-203
Irrigation districts, issuance and sale of notes in anticipation of, 7-7-109
Labor and Industry, Department of — authority, 39-7-103, 39-7-304, 39-7-306
Land, Title 17, chapter 3, part 10, See **DEEDS AND CONVEYANCES**
Land Commissioners, Board of — authority, 77-1-213, 82-4-323
Law enforcement academy, acceptance, 44-10-202
Libraries
depreciation reserve fund, purpose, 22-1-306
federations, 22-1-331, 22-1-405, 22-1-413
public libraries, 22-1-306, 22-1-309, 22-1-327, 22-1-331
public library board of trustees, acceptance, 22-1-309
state library commission, authority, 22-1-103, 22-1-327, 22-1-331, 22-1-405, 22-1-413
Livestock Crimestoppers Program, 81-6-313
Livestock, Department of — authority, 81-6-313, 81-8-609
Local government
airport improvements or development, 67-1-305 — 67-1-307
financial assistance, audits and reports relating to, Title 2, chapter 7, part 5
infrastructure projects, 90-6-703
Mausoleums and columbariums, authority, 35-21-613, 35-21-614, 35-21-622, 35-21-623
Medical research facility, for, 90-3-901
Medical services, emergency, 50-6-103, 50-6-304
Megalandfill siting, 75-10-909
Mental health services, 53-21-202, 53-21-204
Metal mines
impact areas, Title 90, chapter 6, part 3
reclamation, 82-4-323
Microbusiness development, for, 17-6-407, 17-6-409
Mint and mint oil production purposes, for, 80-11-403, 80-11-415
Montana Conservation Corps program, for, 23-1-303
Montana State University
agricultural experiment station, 20-25-231
local government center, acceptance, 20-25-237
Montana student volunteer program, 20-26-1404
Mosquito control districts, 7-22-2415
Motorcycle safety training courses, 20-7-513
Natural Resources and Conservation, Department of — authority, 75-20-111, 76-15-408, 76-15-530, 85-2-111, 85-3-103, 90-2-140, 90-2-141
Nonprofit corporation mergers, effect, 35-2-614
Notaries public, certification, 1-5-416
Noxious weed management, 7-22-2142, 80-7-810, 80-7-813, 80-7-814
Nursing homes, 7-34-2402, 7-34-2411, 53-21-402

GRANTS (Continued)

Nutrition services and food programs, 50-49-106
Occupational health purposes, 50-70-105
Old-age assistance payments, recovery, 53-5-401
Open-space lands, power of public bodies, 76-6-109
Paddlefish egg caviar products sale proceeds used as seed money, 87-4-601
Park Commissioners, County Board of — authority, 7-16-2321, 7-16-2332
Parking commissions, 7-14-4622
Personal property, See **DEEDS AND CONVEYANCES**
Petroleum Tank Release Compensation Board, acceptance, 75-11-313
Planning boards, acceptance, 76-1-408, 76-1-409
Pork research, 81-8-609, 81-8-610
Port authorities, 7-14-1126, 7-14-1133, 7-14-1136
Procurement contracts, state, 18-4-123, 18-4-132
Property, See **DEEDS AND CONVEYANCES**
Public assistance, 53-2-206, 53-2-207, 53-2-602, 53-2-606, 53-2-608 — 53-2-611
  aid to families with dependent children (AFDC), 53-4-231, 53-4-241 — 53-4-243, 53-4-246
  indian child welfare specialist, acceptance, 52-2-117
  old-age assistance payments, recovery, 53-5-401
Public Education, Board of — acceptance, 20-8-111
Radiation control programs, 75-3-201
Rail authorities, receipt and disbursement, 7-14-1624, 7-14-1636
Real property, See **DEEDS AND CONVEYANCES**
Realty Regulation, Board of — acceptance, 76-4-1213
Reclamation and development grants program, Title 90, chapter 2, part 11
Recording, 7-4-2613, 7-4-2618
Recreation resources, outdoor, 23-2-101
Regents of Higher Education, Board of — acceptance, 20-25-103, 20-25-301, 20-25-402, 20-25-431, 20-31-401
Renewable resource grant and loan program, Title 85, chapter 1, part 6
Rodent control boards, authority, 7-22-2216
School districts
  acceptance, 20-6-601
  building fund, purpose, 20-9-508
  federal money generally, acceptance, 20-9-603
  interlocal cooperative agreements, 20-9-703
  miscellaneous programs fund, purpose, 20-9-507
  notes, issuance and sale in anticipation of, 7-7-109
Science and Technology Development, Board of — authority, 90-3-203, 90-3-301, 90-3-901
Silicosis benefits, for, 39-73-103
Social and Rehabilitation Services, Department of — authority, 52-4-110, 53-2-206, 53-2-207, 53-2-606, 53-2-608 — 53-2-610, 53-20-504
Soil survey and mapping program, requirements, 76-11-203
Solid waste management, 75-10-103 — 75-10-106, 75-10-112, 75-10-121, 75-10-125, See also **SOLID WASTE MANAGEMENT**
Solid waste management districts, 7-13-236, 7-13-308
Special improvement districts, issuance and sale of notes in anticipation of, 7-7-109
Sports pool and sports tab game values, retention of portion by nonprofit organizations for educational grants, 23-5-503
State buildings
  art for, 22-2-404
  energy efficiency analyses, 90-2-141
State government
  audits of grants, 5-13-304
  communications system grants, 2-17-302

GRANTS (Continued)
State government (Continued)

  energy conservation measure grants, 90-4-109
  federal assistance programs, Title 17, chapter 3, part 1
  procurement contracts, 18-4-123, 18-4-132
State health plan, 50-1-201
State Library Commission, authority, 22-1-103, 22-1-327, 22-1-331, 22-1-405, 22-1-413
State medical facility plan, 50-5-404
Swine research, 81-8-609, 81-8-610
Telecommunications services and equipment for the handicapped, program for, 53-19-309, 53-19-310
Transloading facility, demonstration truck/train grant to local government, 7-14-120
Transportation, Department of — authority, 67-1-304, 67-2-403
Traumatic brain injury trust, 53-6-502
Treasury funds and accounts
  federal grants, identification, 17-2-103
  investment of grants, funds for, 17-6-202, 17-6-203
Trust company, purpose, 32-1-107, See **BANKS AND TRUST COMPANIES; TRUSTS**
Unemployment insurance funding, 39-51-407
University of Montana Bureau of Government Research, acceptance, 20-25-207
University system, 20-25-103, 20-25-108, 20-25-301, 20-25-402, 20-25-426, 20-25-427, 20-25-431; Title 17, chapter 3, part 10
Urban renewal, for, 7-15-4252, 7-15-4258, 7-15-4260, 7-15-4267, 7-15-4281, 7-15-4301
Vertebrate pest management, for, 80-7-1102, 80-7-1107
Wastewater treatment works revolving loan program, 75-5-1104, 75-5-1106, 75-5-1107, 75-5-1113
Water
  appropriation purposes, 85-2-111
  ground water assessment, 85-2-905
  projects, 85-1-102, 85-1-206, 85-1-207, 85-1-307, 85-1-308, 85-1-322
Water conservancy districts board of directors, authority, 85-9-408
Water quality, 75-5-502, 75-5-503, 75-5-512
Water quality districts, 7-13-4517
Weatherization programs, 90-4-201, 90-4-215
Weather modification purposes, 85-3-103
Weed management, 7-22-2142, 80-7-810, 80-7-813, 80-7-814
Wheat and barley research, 80-11-208, 80-11-210
Women in employment, programs for, 39-7-103
Youth court, to, 15-25-122
Youth detention services, 41-5-1001 — 41-5-1008
Youth residential services, 41-3-1103

GRASS CONSERVATION ACT, Title 76, chapter 16
  See **GRAZING DISTRICTS**, generally

GRASS, STATE, 1-1-506

GRAVEL
  See also **MINES AND MINING**, generally; **STATE LANDS, Nonmetallic mineral leases**
Conservation easements, prohibitions or limitations, 76-6-203
Counties, reservations of interest, 7-8-2514
County Commissioners, Board of — sale of surplus, 7-14-2124
Eminent domain, subject to, 70-30-104
Floodplains and floodways, natural obstruction, 76-5-103
Railroads, purchase or acquisition, 69-14-552
Road-building materials, 60-4-103, 60-4-107
Transporters, exemption from motor carrier laws, 69-12-102

GRAVEL (Continued)

Weighing provisions, 30-12-301

GRAZING DISTRICTS
Acknowledgment, articles of incorporation, 76-16-204
Actions
  sue or be sued, 76-16-324
  trespass, applicability of preference provisions, 76-16-415
  trespassing livestock, recovery of damages, 76-16-311, 76-16-314
Administrative procedure, applicability, 76-16-110
Affidavits, 76-16-109
Agreements
  consent and cooperation for, 76-16-105
  counties, cooperative use, 7-8-2507
  land
    management, for, 76-16-306
    purchase, 76-16-305
Agricultural lands, 76-16-305, 76-16-306, See also **Property**
Alteration, 76-16-209
Animal unit, 76-16-103
  assessments based upon, 76-16-323
  fees based upon, 76-16-106
  trespassing livestock, charge for care and feeding, 76-16-311
Appeal procedure, 76-16-109
Articles of incorporation, 76-16-204, 76-16-206, 76-16-207
Assessments, 76-16-103
  amount, determination, 76-16-323
  fence construction and maintenance, for, 76-16-320
  nonpayment, 76-16-412
Assets
  dissolution, distribution, 76-16-212
  equalization, 76-16-414
  mortgage, 76-16-323
Beaver control, 76-16-107
Board of directors, See **Directors, board of**
Bonds, 76-16-311, 76-16-315, 76-16-316
Borrowing, authority, 76-16-323
Boundaries
  changes, 76-16-207, 76-16-209
  livestock owners, responsibilities, 76-16-309
  map or plat
    filing, 76-16-207
    statement for incorporation, inclusion, 76-16-201
Bylaws
  adoption, amendment, or revision, 76-16-208
  notice of meetings required by, 76-16-206
Carrying capacity of range, See **Range**
Citation of Grass Conservation Act, 76-16-101
Commensurate property, 76-16-103, See also **Dependent commensurate property**
  owners, incorporation procedures
    articles of, preparation and filing, 76-16-204
    notice of hearing, publication, 76-16-202
    statement for, 76-16-201
  preferences, distribution, 76-16-401, See also **Preferences, grazing**
Compliance with departmental orders, 76-16-325

GRAZING DISTRICTS (Continued)

Construction projects affecting streams, Title 75, chapter 7, See **RIVERS AND STREAMS, Streambed protection**
Counties
  cooperative use agreements, 7-8-2507
  land leases, 7-8-2709
County Commissioners, Board of — duties, See **COUNTY COMMISSIONERS, BOARD OF**
Creation, See **Incorporation**
Damages sustained by, See **Trespassing livestock**
Definitions, 76-16-103
Dependent commensurate property, 76-16-103, See also **Commensurate property**
  preferences, distribution, 76-16-401, See also **Preferences, grazing**
  protection, 76-16-102
  rating, 76-16-306
  temporary permittee lands converted to, 76-16-402
Directors, board of, See also **Officers**
  dissolution
    assets, distribution, 76-16-212
    final report, 76-16-213
  liability, 76-16-319
  orders by department, compliance, 76-16-325
  powers and duties, 76-16-301
  preferences, transfer applications, 76-16-407
  records, submission, 76-16-105
  removal, 76-16-325
  state land appraisals, information for, 77-6-201
  stream access law, Title 23, chapter 2, part 3, See **RIVERS AND STREAMS, Recreational use**, supervisors
  stream alteration or modification projects, Title 75, chapter 7, See **RIVERS AND STREAMS, Streambed protection**
  transfers of land, determination of rights and interest involved, 76-16-304
Dissolution
  assets, distribution, 76-16-212
  hearing and notice, 76-16-211
  order for, 76-16-213
  request for, 76-16-210
Employees, 76-16-306, 76-16-319
Equipment, acquisition and disposal, 76-16-305, See also **Property**
Establishment, See **Incorporation**
Expenses, 76-16-105, 76-16-106, 76-16-323
  noncomplying districts, 76-16-325
  preferences, transfer, 76-16-406
  trespassing livestock, care and feeding, 76-16-311
Fees, 76-16-106, 76-16-323, 76-16-409
  membership, 76-16-204
  nonpayment, 76-16-412
  stock driven through range, for, 76-16-308
Fences
  acquisition or construction, 76-16-305
  failure to fence, 76-16-411
  farming land, requirements, 76-16-322
  maintenance and construction, 76-16-320
  remedies, provisions concerning, 76-16-321
  trespassing livestock, impoundment, 76-16-312
  usage of land, 70-16-205

GRAZING DISTRICTS (Continued)

Finances, 76-16-323
Financial reports, 76-16-105
Fines for violations, 76-16-310, 76-16-318
Forage-producing lands, 76-16-305, See also **Property**
Formation, See **Incorporation**
Forms, 76-16-105
Grass Conservation Act, citation and purpose, 76-16-101, 76-16-102
Improvements, See **Range**
Incorporation
  articles of, 76-16-204, 76-16-207
    amendment, 76-16-206
  certificate of incorporation, 76-16-205
  certificates of approval, 76-16-203, 76-16-206
  county land advisory boards, cooperation, 7-8-2709
  hearing for approval, 76-16-201, 76-16-202
  notices, 76-16-202, 76-16-206
  statement for, 76-16-201
  term, 76-16-204
Injunction, 76-16-321
Investigations, 76-16-105
Jurisdiction of courts, 76-16-108
Land, See **Property**
Lawsuits involving, 76-16-324
Leases, See also **Property**
  county land, 7-8-2709
  district, authority, 76-16-305, 76-16-323
  grazing preferences not subject to, 76-16-405
  land not controlled by district, owner's liability, 76-16-411
  membership in district, limitations, 76-16-302
  member's transfer of land, effect, 76-16-304
  range improvements, compensation by lessee, 76-16-410
  state lands, 76-16-307
Liabilities, 76-16-414
Liens, 76-16-311
Livestock
  grazing within, regulation, 76-16-308
  owners, boundary responsibilities, 76-16-309
  purchase or marketing, 76-16-305
  running at large or in herd, permit requirement, 76-16-310
  trespassing, See **Trespassing livestock**
Management, 76-16-301, 76-16-306
Maps, filing, 76-16-207
Meetings, 76-16-206
Membership
  articles of incorporation, amendment, 76-16-206
  fees, 76-16-204
  limitations, 76-16-302
  merger of districts, consent, 76-16-209
  permittee members, See **Permittees**
  rights, nature of, 76-16-108
  subdivision of district, consent, 76-16-209
  transfer of land, effect, 76-16-304
Merger, 76-16-209
Mortgages, 76-16-323, 76-16-405
Name, 76-16-201, 76-16-204

GRAZING DISTRICTS (Continued)

Noncompliance with departmental orders, 76-16-325
Officers, 76-16-204, 76-16-325, See also **Directors, board of**
Official acts, liability, 76-16-319
Permits, 76-16-103, See also **Preferences, grazing**
  failure to obtain, 76-16-411, 76-16-412
  livestock running at large or under herd, for, 76-16-310
  nonuse, 76-16-409, 76-16-412
  owners of land not controlled by district, to, 76-16-411
  reduction, 76-16-403
  rights, nature of, 76-16-108
  size, determination, 76-16-306, 76-16-411
  temporary, 76-16-401 — 76-16-403
Permittees, See also **Membership**
  assessments, See **Assessments**
  assets and reserves of district, payment of value, 76-16-414
  borrowing and mortgages, consent for, 76-16-323
  designation, 76-16-302
  dissolution, 76-16-210, 76-16-212
  notices, receipt — what constitutes, 76-16-111
  reserves, refunds from, 76-16-414
  temporary permit lands, conversion, 76-16-402
  voting rights, 76-16-303
Plats, filing, 76-16-201, 76-16-207
Pledges, 76-16-405
Powers generally, 76-16-204, 76-16-206, 76-16-301
Preferences, grazing, 76-16-103, See also **Permits**
  application for, 76-16-404
  appurtenant to property, 76-16-405
  assets and reserves, payment of value, 76-16-414
  distribution, 76-16-401, 76-16-413
  reduction, 76-16-403
  revocation, 76-16-409, 76-16-412
    effect, 76-16-413
  rights, 76-16-108, 76-16-402
  size, determination, 76-16-306
  temporary permittees, 76-16-402
  transfer, 76-16-405, 76-16-406
    application, 76-16-406, 76-16-407
    effect, 76-16-408
  trespass actions, applicability of provisions, 76-16-415
  underlying property, transfer, 76-16-409
Property
  acquisition and disposal, 76-16-305, 76-16-323
  commensurate, See **Commensurate property**
  dependent commensurate, See **Dependent commensurate property**
  dissolution of district, distribution of assets, 76-16-212
  management, 76-16-306
  preferences appurtenant to, 76-16-405
  state land leases, 76-16-307
  transfer, effect, 76-16-304
Purpose of provisions, 76-16-102
Range, 76-16-103
  carrying capacity and allotment, 76-16-306
    permits, determination, 76-16-411
    preferences, distribution, 76-16-401

GRAZING DISTRICTS (Continued)
Range (Continued)

- improvements
  - compensation for value, 76-16-410
  - construction, 76-16-323
- management, 76-16-306
- stock driven through, regulation, 76-16-308
- wild game animals, for, 76-16-107

Rangeland resources, Title 76, chapter 14, See **RANGELAND RESOURCES**
Rangeland Resources Committee, recommendations by association for appointments to, 2-15-3305
Records and reports, 76-16-105
Reserve fund, 76-16-323, 76-16-414
Reservoirs, 76-16-305, See also **Property**
Riders, 76-16-306
Rights, See **Preferences, grazing**
Sale

- assets, 76-16-212
- preferences, 76-16-405
- trespassing livestock, 76-16-316

State lands, lease requirements, 76-16-307
Stock, See **Livestock**
Stream access law, Title 23, chapter 2, part 3, See **RIVERS AND STREAMS, Recreational use**
Stream alteration or modification projects, Title 75, chapter 7, See **RIVERS AND STREAMS, Streambed protection**
Subdivision, 76-16-209
Sue or be sued, authority, 76-16-324
Supplies, acquisition and disposal, 76-16-305, See also **Property**
Taylor Grazing Act

- cooperation with, 76-16-102
- money from, 17-3-221, 17-3-222

Trespassing livestock

- control, 76-16-311
- damages by
  - excess charge, recovery, 76-16-314
  - liability, 76-16-310, 76-16-311
  - owners of land not controlled by district, entitlement, 76-16-411
  - payment, 76-16-311, 76-16-313
- impoundment, 76-16-312
- person responsible for, inability to locate — procedures, 76-16-315
- preference provisions, applicability to violations, 76-16-415
- release, 76-16-313
- remedies, provisions regarding, 76-16-321
- sale, 76-16-316
  - proceeds, disposition, 76-16-317
- unlawful recovery, 76-16-318

Violations

- livestock running at large or in herd without permit, 76-16-310
- rules generally, 76-16-412
- trespass, applicability of preference provisions, 76-16-415
- trespassing livestock, unlawful recovery, 76-16-318

Voting rights of members, 76-16-303
Wildlife protection within, 76-16-107

GREENBELT LAW, Title 15, chapter 7, part 2
See **TAXATION, PROPERTY, Agricultural land**

GRIZZLY BEAR, STATE ANIMAL, 1-1-508
  See **FISH AND WILDLIFE, Game animals; Grizzly bear**

GROCERY STORES
  See **RETAIL ESTABLISHMENTS**

GROUND WATER ASSESSMENT ACT, Title 85, chapter 2, part 9
  See **WATER, Ground water**

GROUP HOMES
  See **DEVELOPMENTALLY DISABLED PERSONS, Community homes; YOUTH COURT, Youth residential facilities**

GROWTH THROUGH AGRICULTURE ACT, Title 90, chapter 9
  See **AGRICULTURE, Growth through**

GUARANTEED STUDENT LOAN PROGRAM, Title 20, chapter 26, part 11
  See **HIGHER EDUCATION**

GUARANTY
  See also **SURETYSHIP AND SURETIES; WARRANTY**
Acceptance, when notice necessary, 28-11-106
Alteration of obligation, 28-11-211, 28-11-212, 28-11-215
Arrest bond certificates, 46-9-412, 46-9-414
Attachment when, 27-18-101
Binding when, 28-11-106
Conditional obligation, 28-11-107, 28-11-206
Conflict of laws, 28-11-202
Consent of principal, 28-11-102
Consideration, 28-11-103 — 28-11-105, 28-11-108
Continuing guaranty, 28-11-108
Contracts, liability when, 28-11-202, 28-11-203
Corporations, 35-1-115
Cosmetics, 50-31-501, 50-31-507
Default of principal, 27-18-101, 28-11-205, 28-11-206
Definitions, 28-11-101, 28-11-108
Documents of title, accuracy of description, 30-7-301
Drugs, 50-31-501, 50-31-507
Exoneration, 28-11-204, 28-11-211 — 28-11-216
Factors, guaranty commission, 30-11-604
Food, 50-31-501, 50-31-507
Hazardous substances, 50-30-301, 50-30-305
Hazardous substance releases, remedial action sites — liable person's financial assurance, 75-10-719, 75-10-721
Hearing aid dispensers, 37-16-303, 37-16-411
Knowledge of principal, 28-11-102
Letters of credit, See **LETTERS OF CREDIT, Warranties**
Liability, future, 28-11-108
Liability of guarantor, 28-11-201 — 28-11-206, 28-11-215, 28-11-216
Mining, large scale mineral development tax prepayment, 90-6-307, 90-6-309
Modification of obligation, 28-11-211, 28-11-212, 28-11-215
Negotiable instruments, 30-3-415
Nonprofit corporations, 35-2-118, 35-2-213, 35-2-423, 35-2-435
Offer of guaranty, when binding, 28-11-106
Original obligation, as, 28-11-105
Partial performance, effect, 28-11-216

GUARANTY (Continued)

Product safety, 50-30-301, 50-30-305
Sales, See **SALES**, **Warranties**
Securities, See **SECURITIES AND SECURITIES REGULATION**, **Warranties**
Statutes of fraud, 28-2-903, 28-11-104, 28-11-105
Suretyship, applicability of laws, 28-11-412, 28-11-414
Unconditional guaranty, 28-11-107
Wastewater treatment works revolving loan program, financial assistance for municipal obligations, 75-5-1107, 75-5-1111

GUARDIANS AND GUARDIANSHIP
  See also **ESTATES AND PROBATE**, **Conservators and conservatorship**
Actions
  appeal permitted, Title 25, chapter 21, M.R.App.P., Rule 1
  default judgment against ward, Title 25, chapter 20, M.R.Civ.P., Rule 55(b)
  guardian ad litem, See **Guardian ad litem**
  justices' courts
    capacity as party, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A
    service of process, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  minors, capacity as party, 27-1-511, 41-1-202
  notice to guardian, 72-5-202, 72-5-301
  representation of ward, 25-31-602, 25-34-105, 25-35-505, 27-1-511, 41-1-202; Title 25, chapter 20, M.R.Civ.P., Rules 17(a), 17(c); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A
  service of process, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  small claims court, in, 25-34-105, 25-35-505
  substitution of guardian, Title 25, chapter 20, M.R.Civ.P., Rule 25(b)
  venue, 72-5-232, 72-5-323
Anatomical gifts, 72-17-214, 72-17-215
Attorneys' fees set by court, 25-10-301
Authority of guardian, territorial extent, 26-3-203
Conflict of interest of guardian
  condemnation commissioners, 70-30-207
  incapacitated persons, 72-5-312, 72-5-317
  jury duty, 25-7-223, 46-16-115
Conservatorship of ward's property, See also **ESTATES AND PROBATE**, **Conservators and conservatorship**
  conservators, duties and powers as guardian, 72-5-427
  distributions
    by conservator, recommendations by guardian, 72-5-428
    to guardian, 72-5-427
  inventory to guardian, 72-5-424
  petition, citing in, 72-5-402
  priority of guardian for appointment, 72-5-410
Consolidation of proceedings, 72-5-102
Corporate shareholders, as
  close corporations, 35-1-550
  signature on vote, consent, proxy appointment, or waiver — acceptance, 35-1-527
Corporation as guardian, oaths, 72-31-101
County road improvement district petitions, signed by guardian when, 7-14-2702
Declaratory judgments, availability, 27-8-204
Deeds executed by guardian, validation, 72-31-103
Delegation of powers, 72-5-103
Disability, persons under, See **Incapacitated persons**
Dissolution or annulment of marriage, revocation of nomination, 72-2-814

GUARDIANS AND GUARDIANSHIP (Continued)

Elder abuse, neglect, or exploitation report disclosure to guardian, 52-3-813
Eminent domain, condemnation commissioners — guardian-ward relationship grounds for exclusion, 70-30-207
Executive clemency, application for, 46-23-301
Fiduciary, guardian defined as, 72-1-103
  breach of fiduciary obligation, 45-1-205
Force, right to use — when, 45-3-107, 49-1-103
Foreign trust company as guardian, 32-1-1001 — 32-1-1007
Gambling losses, civil action to recover, 23-5-131
Guardian ad litem
  abused, neglected, and dependent children
    appointment and duties, 41-3-303, 41-3-607
    disclosure of records to, 41-3-205, 41-3-303
    parent-child legal relationship termination — appointment, duties, and reports, 41-3-603, 41-3-607, 41-3-610
  adoption of child, notice requirements, 40-8-109
  appointment, 25-5-301, 25-31-602, 40-6-110, 41-3-303, 41-3-607, 41-5-303, 41-5-512, 53-20-113, 53-21-119, 72-1-303, 72-33-705, 72-35-313; Title 25, chapter 20, M.R.Civ.P., Rules 4D, 17(c), 25(b); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  child custody
    inconvenient forum, motion of, 40-7-108
    testimony in another state, 40-7-119
  child support enforcement, requirements for minor obligee, 40-5-159
  conservatorship proceedings, representation in, 72-5-408
  default judgment against ward, Title 25, chapter 20, M.R.Civ.P., Rule 55(b)
  developmentally disabled persons, for, 53-20-113
  disclaimer of property interests, 72-2-811
  guardianship proceedings, representation in, 72-5-314, 72-5-315
  mentally ill persons, for, 53-21-119, 53-22-105
  notice, waiver, 72-1-302
  partition proceedings, 70-29-102
  paternity proceedings
    appointed for child when, 40-6-110
    pretrial recommendations accepted or refused by, 40-6-114
  personal representative, appointment — exclusion from rights relating to, 72-3-505
  service of process, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  trust
    account or report, receipt, 72-34-511
    appointment, 72-33-705, 72-35-313
    modification or termination, consent for beneficiary, 72-33-408
  youth court
    appointment, 41-5-303, 41-5-512
    compensation, 41-5-207
Hearing aid dispensers, recommendation for medical examination of ward under age 19 required, 37-16-303
Home loan corporation bonds, investment in by guardian, 72-31-102
Incapacitated persons
  abuse, neglect, or exploitation
    report disclosure to guardian, 52-3-813
    temporary guardian, 52-3-804
  accounting by guardian, 72-5-321, 72-5-323, 72-5-324
  AIDS testing, consent and counseling, 50-16-1003, 50-16-1007
  alcoholism of incapacitated person, rights and responsibilities, 53-24-301, 53-24-302, 53-24-304

GUARDIANS AND GUARDIANSHIP (Continued)
Incapacitated persons (Continued)

- attorney, court appointment, 72-5-315, 72-5-322
- child of incapacitated person as guardian, 72-5-312
- commitment of ward, applicability of laws, 53-20-141, 53-21-141, 53-21-190, 72-5-321, See also **MENTAL ILLNESS OR INCAPACITY, Guardians of**
- compensation of guardian for support, 72-5-321
- conservatorship, See **ESTATES AND PROBATE, Conservators and conservatorship**
- court appointment of guardian
  - acceptance, 52-4-102, 52-4-103, 72-5-301
  - certificate, seal of court on, 3-1-206
  - conflict of interest, 72-5-312, 72-5-317
  - family services, department of, 52-4-102, 52-4-105, See also **DEVELOPMENTALLY DISABLED PERSONS, Protective proceedings, Department of Family Services as guardian or conservator**
  - filing fee, 25-1-201
  - hearing, 72-5-314, 72-5-315
  - jurisdiction, 72-5-323
  - notice of hearing, 72-5-314
  - order, 3-1-206, 72-5-316
  - petition, 72-5-319, 72-5-320
  - priorities, 72-5-312
  - procedure, 72-5-315
  - temporary guardian, 72-5-317
  - testamentary nominee, of, 72-5-304
  - venue, 72-5-311
  - visitor, 72-5-313
- death of guardian or ward, 72-5-324, 72-5-325
- default judgment against incompetent person, Title 25, chapter 20, M.R.Civ.P., Rule 55(b)
- definitions, 72-1-103, 72-5-101, 72-5-305
- developmental disabilities planning and advisory council, representation, 2-15-2204
- elective share of surviving spouse, 72-2-223
- family services, department of — as guardian, 52-4-102, 52-4-104, 52-4-107, See also **DEVELOPMENTALLY DISABLED PERSONS, Protective proceedings, Department of Family Services as guardian or conservator**
- hearings
  - court as guardian, 72-5-316
  - incapacity, issues on, 72-5-315
  - removal or resignation of guardian, 72-5-325
  - treatment of ward, 72-5-322
- HIV-related testing, consent and counseling, 50-16-1003, 50-16-1007
- incapacity of guardian, effect, 72-5-324, 72-5-325
- incapacity of ward
  - adjudication, 72-5-304, 72-5-325
  - findings, 72-5-316
  - hearing, 72-5-315
  - petition for finding, 72-5-315
  - presumption, none, 72-5-306
  - termination, 72-5-325
  - visitors' testimony, 72-5-315
- insurance producers, temporary license — issued when, 33-17-216, 33-17-217
- interested persons, 72-1-103
  - actions by, 72-5-301
  - incapacity, petition for finding, 72-5-315
  - notice, request for, 72-5-318
- jurisdiction of court, 72-5-102, 72-5-301, 72-5-323

GUARDIANS AND GUARDIANSHIP (Continued)
Incapacitated persons (Continued)

- liability of guardian, 72-5-321
    - termination of appointment, effect, 72-5-324; Title 25, chapter 21, M.R.App.P., Rule 13
- limited guardian and guardianship, 72-5-305
    - order, 72-5-316
    - petition for, 72-5-319
    - powers and duties generally, 72-5-321
    - purpose of, 72-5-320
    - temporary guardian, 72-5-317
    - when, 72-5-312, 72-5-316
- medical care, 72-5-320 — 72-5-322
- midwife-client privilege, consent for release of information and actions from claims, 37-27-310
- notice
    - court as guardian, 72-5-317
    - guardian, to, 72-5-301
    - hearings, 72-5-314
    - interested person, request for, 72-5-318
    - payment of property and support funds to guardian, 72-5-321
    - testamentary appointment, 72-5-302
- occupational disease benefits, payment to, 39-71-742, 39-72-402
- parent
    - as guardian, 72-5-312
    - delegation of powers, 72-5-103
    - notice of hearing, 72-5-314
    - testamentary appointment of guardian, 72-5-302, 72-5-304
- powers
    - delegation by parent or guardian, 72-5-103
    - guardian, generally, 72-5-321
    - limited guardian, 72-5-320, 72-5-321
- professional counselor-client privilege, consent for release of information and actions from claims, 37-23-301
- protective proceedings, 72-5-321, See **ESTATES AND PROBATE**, **Conservators and conservatorship**
- purpose of guardianship, 72-5-306, 72-5-320
- relative of incapacitated person, rights, 72-5-302, 72-5-312, 72-5-314
- removal of guardian, 72-5-314, 72-5-323 — 72-5-325
- reports by guardian, 72-5-315, 72-5-321
- resignation of guardian, 72-5-323 — 72-5-325
- rights, how affected, 72-5-306, 72-5-316, 72-5-319, 72-5-321
- social worker-client communications, disclosure or actions regarding, 37-22-401
- spouse
    - as guardian, 72-5-312
    - notice of hearing, 72-5-314
    - testamentary appointment of guardian, 72-5-302, 72-5-304
- successor guardian, 72-5-325
- support, provision for, 72-5-321
- suspension of guardian's authority, 72-5-314, 72-5-317
- temporary guardians, 52-3-804, 72-5-317, 72-5-319
    - notice provision, exclusion, 72-5-314
- termination of appointment, 72-5-324; Title 25, chapter 21, M.R.App.P., Rule 13
    - objection, by, 72-5-302, 72-5-304
    - petition for, 72-5-325
- testamentary appointment of guardian, 72-5-302
    - acceptance, 72-5-301 — 72-5-303
    - foreign will, by, 72-5-303

GUARDIANS AND GUARDIANSHIP (Continued)
Incapacitated persons (Continued)
  testamentary appointment of guardian (Continued)
    jurisdiction, 72-5-323
    objections, 72-5-302, 72-5-304
    priority, 72-5-302
  third persons, guardian's liability to, 72-5-321
  venue
    court appointment proceedings, 72-5-311
    proceedings subsequent to appointment, 72-5-323
  visitor, 72-5-313, 72-5-315
  workers' compensation benefits
    claims, appointment of guardian for, 39-71-602
    payment to, 39-71-742, 39-72-402
Intoxicating substance, unlawful possession — interference with sentence or court order concerning ward, 45-5-624
Jurisdiction of guardian, extent, 26-3-203
Jurors, relationship grounds for challenge, 25-7-223, 46-16-115
Jury trials, 72-5-315
Letters of guardianship, 72-1-103, 72-5-201
  appeals, appointment of guardian, Title 25, chapter 21, M.R.App.P., Rule 1
Minors
  abduction of ward, suit for, 27-1-515
  abortion, notice to guardian, 50-20-107
  abused, neglected, and dependent children, See also **CHILD ABUSE AND NEGLECT**
    appointment and duties of guardian, 41-3-401
    records, disclosure to guardian, 41-3-205
  accounting by guardian, 72-5-231 — 72-5-233
  actions, capacity as party, 27-1-511, 41-1-202
  adoption of ward, 40-8-111, 72-5-103, 72-5-231, 72-5-233
  AIDS testing, consent and counseling, 50-16-1003, 50-16-1007
  aid to families with dependent children (AFDC), creation for distribution of payments, 53-4-243
  alcoholic beverages, making available to minor, 16-6-305, 45-5-622, 45-5-623
  alcoholism of minor, rights and responsibilities, 53-24-301, 53-24-302, 53-24-304
  attorney for minor, court appointment, 72-5-225, 72-5-234
  child custody proceedings, notice, 40-4-211
  child safety restraint systems, 61-9-419 — 61-9-421, 61-9-423, 61-13-103
  compensation of guardian, 72-5-231
  confidential communications of minor, consent to disclosure, 26-1-808, 26-1-809
  conservators, powers and duties of guardian, 72-5-427
  corporal punishment, justified when, 45-3-107
  court appointment of guardian, 72-5-222
    acceptance, 72-5-201, 72-5-202
    certificate, seal of court on, 3-1-206
    filing fee, 25-1-201
    letters of appointment, 72-5-201
    parental authority ceases, 40-6-234
    procedure, 72-5-225
    proceedings subsequent to appointment, 72-5-232
    qualifications, 72-5-223
    temporary guardian, of, 72-5-224
    testamentary nominee, of, 72-5-213, 72-5-222
    venue, 72-5-221
  custody
    delegation of powers, 72-5-103
    interference with, 45-5-304
    legal, defined, 41-5-103, See also **CHILD CUSTODY**

GUARDIANS AND GUARDIANSHIP (Continued)
Minors (Continued)

- day care, See **DAY CARE**
- deaf and blind, Montana school for the
  - admission of ward, mandatory application, 20-8-105
  - transportation contracts, 20-8-121
- death of
  - guardian or ward, termination of guardianship, 72-5-233
  - ward, suit for, 27-2-205
- default judgment against infant, Title 25, chapter 20, M.R.Civ.P., Rule 55(b)
- definitions, 72-1-103, 72-5-101
- delinquent, Title 41, chapters 5 and 6, See **MINORS, Interstate Compact on Juveniles; YOUTH COURT**
- delivery of property, 72-5-104, 72-5-231
- disabilities, with — special education, Title 20, chapter 7, part 4
- drivers' licenses, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Minors**
- duration of guardian's appointment, 72-5-201, 72-5-224
- endangering the welfare of children, 45-5-622
- family services, department of — as guardian, 52-2-115, See also **CHILD ABUSE AND NEGLECT, Child welfare services**
- firearms, liability and exception when used by child under 14, 45-8-344, 45-8-345
- force, right to use — when, 45-3-107, 49-1-103
- grandparent visitation, 40-9-101, 40-9-102
- health care information concerning minor, disclosure — authorization requirement, 50-16-542
- hearing aid dispensers, recommendation for medical examination of person under age 19 required, 37-16-303
- hearings
  - appointment of guardian, 72-5-225
  - removal or permission to resign, petitions for, 72-5-234
- highway patrol officers' retirement benefits, payment for child's use, 19-6-505
- HIV-related testing, consent and counseling, 50-16-1003, 50-16-1007
- injury to ward, suit for, 27-2-205
- insurance contracts, binding when, 33-15-103
- interested persons, 72-1-103
  - notice to, 72-5-202
  - reports to, 72-5-231
- interstate placement, Title 41, chapter 4, part 1
- intoxicating substance, unlawful possession — interference with sentence or court order concerning, 45-5-624
- jurisdiction of court, 72-1-202, 72-5-102, 72-5-202, 72-5-232
- letters of guardianship, 72-1-103, 72-5-201
  - appeals, appointment of guardian, Title 25, chapter 21, M.R.App.P., Rule 1
- liability of guardian, 72-5-231
  - alcoholic beverages, for damages involving sale or provision to ward when, 16-6-305
  - endangering welfare of child, 45-5-622
  - firearms, use by minor, 45-8-345
  - shoplifting by minor, 27-1-718
  - termination of appointment, effect, 72-5-233; Title 25, chapter 21, M.R.App.P., Rule 13
  - ward, to, 72-5-231
- marriage of minor ward
  - consent requirements, 40-1-213, 40-1-402, 72-5-103, 72-5-231
  - termination of guardian's appointment, 72-5-233
- medical care of minor
  - abortion, notice to guardian, 50-20-107
  - consent to, 72-5-231
  - emergency, notification, 41-1-402, 41-1-403

GUARDIANS AND GUARDIANSHIP (Continued)
Minors (Continued)
  medical care of minor (Continued)
    generally, Title 41, chapter 1, part 4, See **MINORS, Medical care**
    pregnancy, serological test results to guardian, 50-19-107
    records, disclosure — authorization requirement, 50-16-542
  midwife-client privilege, consent for release of information and actions from claims, 37-27-310
  missing children information program, Title 44, chapter 2, part 5
  name change, petition by guardian, 27-31-101, 27-31-201
  necessaries, provision, 41-1-305
  newspaper carrier or free-lance correspondent, minor as
    unemployment insurance coverage exclusion, 39-51-204
    workers' compensation coverage exclusion, 39-71-401
  notice
    abortion, 50-20-107
    appointment, of, 72-5-211, 72-5-225
    guardian, to, 72-5-202
    removal or permission to resign, petition for, 72-5-234
  occupational disease benefits, payment to, 39-71-742, 39-72-402
  parents
    appointment of guardian terminates authority, 40-6-234
    delegation of powers by, 72-5-103
    notice of appointment proceedings to, 72-5-225
    testamentary appointment by, 72-5-211
  payment of property, 72-5-104, 72-5-231
  police officers' retirement benefits, payment for child's use, 19-9-804
  powers
    delegation by parent or guardian, 72-5-103
    guardian generally, 72-5-231, 72-5-427
  pregnancy, See also **PREGNANCY, Minors**
    abortion, notice to guardian, 50-20-107
    serological test results to guardian, 50-19-107
  privileged communications, consent to disclosure, 26-1-808, 26-1-809
  professional counselor-client privilege, consent for release of information and actions from claims, 37-23-301
  prostitution, promoting, 45-5-602, 45-5-603
  protective proceedings, commencement by guardian, 72-5-231, See also **ESTATES AND PROBATE, Conservators and conservatorship**
  public employees' retirement system benefits, application for and payment to minor beneficiary, 19-2-803, 19-3-1204
  removal of guardian, 72-5-232 — 72-5-234
  reports by guardian, 72-5-231
  residence, determination, 1-1-215
  resignation of guardian, 72-5-232 — 72-5-234
  rodeos and similar events, approval of consent for minor's voluntary participation, 27-1-733
  schools
    attendance requirements, penalty for noncompliance, 20-5-106
    enrollment of child, proof of identity required, 44-2-511
    grades, diploma, or transcript of pupil — withholding when, 20-5-201
    home or nonpublic, See **PRIVATE SCHOOLS**, generally
    out-of-district attendance agreements, 20-3-210, 20-5-320 — 20-5-324
  seduction of child, suit for, 27-1-514
  sexual offense, victim of — sexually transmitted disease testing of convicted person, 46-18-256
  sheriffs' retirement benefits, payment for child's use, 19-7-801
  shoplifting, liability of guardian, 27-1-718

GUARDIANS AND GUARDIANSHIP (Continued)
Minors (Continued)

- social worker-client communications, disclosure or actions regarding, 37-22-401
- status of guardian, how acquired, 72-5-201, 72-5-224
- substitute care, 41-3-1102, 41-5-103, See **YOUTH COURT**
- successor guardian, 72-5-234
- support, funds for, 72-5-104, 72-5-231
- temporary guardians, 72-5-224
- termination of appointment, 72-5-233; Title 25, chapter 21, M.R.App.P., Rule 13
  - objection of minor, by, 72-5-213, 72-5-222
- testamentary appointment of guardian
  - acceptance, 72-5-201, 72-5-202, 72-5-211
  - foreign will, by, 72-5-212
  - letters of appointment, 72-5-201
  - objections by minor, 72-5-211, 72-5-213, 72-5-222
  - priority, 72-5-211, 72-5-222
  - probate, denial — effect, 72-5-233
  - proceedings subsequent to appointment, 72-5-232
- transfers to, Title 72, chapter 26
- venue
  - court appointment, 72-5-221
  - proceedings subsequent to appointment, 72-5-232
- volunteer firefighters' benefits, payment to guardian of child, 19-17-405
- voting program for youth, participation, 13-22-105
- workers' compensation benefits
  - claims, appointment of guardian for, 39-71-602
  - payment to, 39-71-742, 39-72-402
- youth court, Title 41, chapter 5
- youth residential services, Title 41, chapter 3, part 11

Multiple proceedings, 72-1-203
Nonprofit corporation members — acceptance of signature on vote, consent, proxy appointment, or waiver, 35-2-542
Notarial acts, Title 1, chapter 5, part 6, See **NOTARIES PUBLIC**
Orders, who bound, 72-1-303
Organ donation of deceased ward, 72-17-214, 72-17-215
Partnership partners, appointment for — effect, 35-10-616
Personal representative, appointment — rights of guardian, 72-3-505
Pleadings, 72-1-303
Power of attorney, 72-5-501, 72-5-502, 72-31-201, 72-31-231
Preexisting guardianships, 72-1-107
Professional corporations, amendment of articles of incorporation by guardian, 35-4-312
Property

- conservancy districts, voting rights, 85-9-421
- deeds executed by guardian, validation, 72-31-103
- delegation of powers, 72-5-103
- delivery or payment, 72-5-104, 72-5-231, 72-5-321, 72-5-439
- description in petition for guardian for incapacitated persons, 72-5-319
- disclaimer of property interests, 72-2-811
- drainage districts, voting rights, 85-8-305
- exempt property, 72-2-415
- family allowance, 72-2-414
- force, use to protect, 49-1-103
- homestead allowance, 72-2-415
- irrigation districts, voting rights, 85-7-1710
- protective proceedings, See **Conservatorship of ward's property; ESTATES AND PROBATE, Conservators and conservatorship**

GUARDIANS AND GUARDIANSHIP (Continued)
Property (Continued)

- real property
  - holding over, damages for, 27-1-319
  - partition proceedings, See **PARTITION**
  - quiet title actions for heirs of deceased entrymen, as party, 70-28-204, 70-28-206
  - waste by guardian, 70-16-106
- water conservancy districts, voting rights, 85-9-421

Prostitution, promoting, 45-5-602, 45-5-603
Protection, right to use force, 49-1-103
Protective services of Department of Family Services does not create guardianship, 52-3-207
Public servant, guardian defined as, 45-2-101, See **CRIMES**, **Public officers and employees**
Register of probate and guardianship proceedings, 3-5-513
Securities
- exempt transactions, 30-10-105
- transfers, 30-10-402, See **SECURITIES AND SECURITIES REGULATION, Fiduciary transfers**

Seduction of ward, suit for, 27-1-514
Small claims court, representation of ward, 25-34-105, 25-35-505
Spouse, capacity as guardian, 40-2-108
Taxation
- assessment of property, designation of guardian, 15-8-502
- income tax, fiduciary, 15-30-101, See **TAXATION, INDIVIDUAL INCOME**

Transfer of proceedings, 72-1-203
Trusts, See **BANKS AND TRUST COMPANIES; TRUSTS**
Uniform Probate Code
- effective date, applicability, 72-1-107
- precedence, 72-1-106
- territorial extent, 72-1-201

Venue, 72-1-203
- appointment proceedings, 72-5-221, 72-5-311
- proceedings subsequent to appointment, 72-5-232, 72-5-323

Veterans, burial expenses — claimants, 10-2-502

GUESTS
Boats, 23-2-502
Carriers, See **CARRIERS**, **Passenger carriers**
Fish and wildlife shooting preserves, 87-4-523
Force to protect, 49-1-103
Fraternal organizations, permits to sell alcoholic beverages, 16-4-301
Hotels or lodging establishments, See **HOTELS AND LODGING ESTABLISHMENTS**, generally
Housing, exemption from discriminatory practices when, 49-2-305
Insurance, blanket disability, 33-22-601
Landlord and tenant, fire or casualty damage, 70-24-409
Lease warranties, third-party beneficiary, 30-2A-216
Meat and meat products, custom slaughter and preparation provision, 81-9-218
Motor vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, **Passengers**
Outfitters and guides, 37-47-304
Protection, 49-1-103
Sales warranties, third-party beneficiary, 30-2-318
Swimming pools, private, 50-53-102
University system facilities and services, 20-25-302
Vessels, 23-2-502
Veterans organizations, permits to sell alcoholic beverages, 16-4-301

GUIDES AND GUIDING, Title 37, chapter 47
  See **OUTFITTERS AND GUIDES**

GUNS
  See **WEAPONS, Firearms; Machine guns**

H

HABEAS CORPUS, WRIT OF
  See also **WRITS**, generally
Affidavit, appearance of petitioner, 46-22-302
Alcoholism, discharge from commitment for, 53-24-302
Appeal by prosecution, 46-22-307
Appearance of petitioner, 46-22-302
Availability, 46-21-101, 46-22-101 — 46-22-103; Const., II, 19
Bail, availability to give, 46-22-103
Contempt for disobedience, 46-22-303
County officers, fees not allowed, 7-4-2516
Disobedience to writ, 46-22-303
Disposition of detained party, 46-22-306
Extradition, upon arrest, 46-30-217, 46-30-228, 46-30-229; Const., II, 19
Form, 46-22-205
Hearing and determination, 46-22-205, 46-22-302, 46-22-304 — 46-22-307
Issuance, 3-1-302, 3-5-302, 46-22-201, 46-22-203, 46-22-204
Jurisdiction
  district court, 3-5-302, 3-5-311, 46-22-202; Const., VII, 4
  supreme court, 3-2-202, 3-2-212, 46-22-202; Const., VII, 2
Petition, 46-22-201, 46-22-205
Postconviction hearing, applicability of laws, 46-21-101
Return of writ, 46-22-202, 46-22-301, 46-22-304
Right to, 46-22-101, 46-30-217, 46-30-228, 46-30-229; Const., II, 19
Service of writ, 46-22-206
Supreme court, proceedings in, Title 25, chapter 21, M.R.App.P., Rule 17, See also
  SUPREME COURT, Original proceedings in
Technical defects, no release for, 46-22-102

HAIL INSURANCE
  See also **INSURERS, FARM MUTUAL**
Agriculture, Department of — appraisers appointed by, 80-2-242
Applications, 80-2-203
  crop liens, inclusion, 80-2-226
  rates printed on, 80-2-222
Appraisal, disputed — procedures, 80-2-243
Appraisers, 80-2-242
Benefits
  bankruptcy, exemption, 31-2-106
  election of, 80-2-204
  execution, exempt from, 80-2-245
Board of, 2-15-3003; Title 80, chapter 2, part 2
Cancellation when, 80-2-207
Cash payment, 80-2-206
Crop liens, 71-3-711 — 71-3-713, See **LIENS, Hail insurance**
Crops subject to provisions, 80-2-205

HAIL INSURANCE (Continued)

Delinquent
  insurance, effect, 80-2-207, 80-2-244
  taxes, effect, 80-2-207
Levies for
  agreement concerning, 80-2-203
  amount, 80-2-222
  annual, 80-2-223, 80-2-228
  assessments, 80-2-224
  authorization, 80-2-221
  collection, 80-2-230
  county, amount transferable to, 80-2-232
  delinquent, 80-2-244
  increase, 80-2-228
  liability, 80-2-204
  liens for, 71-3-711 — 71-3-713, See **LIENS, Hail insurance**
  payable when, 80-2-224
  reinsurance, use of money for, 80-2-209
  withdrawal of crop when, 80-2-229
Liens, 71-3-711 — 71-3-713, See **LIENS, Hail insurance**
Losses, 80-2-241, 80-2-244
Maximum, 80-2-208, 80-2-244
Participation in program, 80-2-203
Policies, issuance, 80-2-204
Real estate liens, creation, 80-2-225
Reduction, 80-2-207
Refunds when, 80-2-206, 80-2-222
Reinsurance, 80-2-209
Reserve fund, 80-2-228
Risks, classification, 80-2-203
Tax levy for, See **Levies for**
Withdrawal of crops, when, 80-2-229

HANDICAPPED PERSONS
  See also **DISABLED PERSONS**
Handicapped Persons' Employment Preference Act, Title 39, chapter 30, See **LABOR AND EMPLOYMENT, Preference to handicapped**
Telecommunications Services for the Handicapped, Committee on, 2-15-2212
Vocationally handicapped, subsequent injury when, Title 39, chapter 71, part 9, See **WORKERS' COMPENSATION, Subsequent injury when vocationally handicapped**

HARD ROCK MINING ACT, Title 82, chapter 4, part 3
  See **MINES AND MINING, Metal mines**

HARD-ROCK MINING IMPACT BOARD
  See **MINES AND MINING**

HAY
  See **AGRICULTURE**

HAZARDOUS CHEMICALS
Accidents, 50-78-102, 50-78-301, 50-78-306, 50-78-401
Anhydrous Ammonia Facilities Safety Act, Title 80, chapter 10, part 5, See **COMMERCIAL FERTILIZERS**
Applicability of provisions, 50-78-103
Chemical manufacturers, 50-78-102
  federal law, chemicals subject to — compliance with state provisions, 50-78-103

HAZARDOUS CHEMICALS (Continued)
Chemical manufacturers (Continued)

- material safety data sheets provided by, 50-78-203

Citation of Employee and Community Hazardous Chemical Information Act, 50-78-101
Complaints of violations, 50-78-402
Consumer products, nonapplicability, 50-78-103
Containers
- labels, 50-78-102, 50-78-206
- material safety data sheet codes, 50-78-205
- sealed, transportation — nonapplicability of provisions when, 50-78-103

Cosmetics, nonapplicability of provisions, 50-78-103
County attorney, complaints to, 50-78-402
Definitions, 50-78-101
Designated representative for employee, See **Employees**
Disclosure, 50-78-401
Distributors, 50-78-102
- labels, removal or defacing not allowed, 50-78-206
- material safety data sheets provided by, 50-78-203

Drugs, nonapplicability of provisions, 50-78-103
Education programs for employees, 50-78-204, 50-78-305
Emergencies, 50-78-205, 50-78-301
Employee and Community Hazardous Chemical Information Act, Title 50, chapter 78
Employees, 50-78-102
- adverse action upon exercise of rights not allowed, 50-78-204
- complaints by, 50-78-402
- designated representative, 50-78-204
- information to, effect on employer, 50-78-401
- material safety data sheets, See **Material safety data sheets**
- protective measures and equipment, 50-78-204
- rights, 50-78-204
  - adverse action upon exercise of, not allowed, 50-78-204
  - notice of
    - form, 50-78-306
    - posting, 50-78-201
  - waiver, effect, 50-78-204
- training and education programs, 50-78-204, 50-78-305
- violations, reporting, 50-78-402
- workplace chemical list, See **Work area or workplace**

Employers, 50-78-102
- adverse action against employees not allowed, 50-78-204
- compliance, 50-78-103
- exemption from provisions when, 50-78-104
- federal provisions, compliance, 50-78-301
- liability, effect of information to employee, 50-78-401
- labels, removal or defacing not allowed, 50-78-206
- material safety data sheets, See **Material safety data sheets**
- noncompliance, 50-78-402
- notice to employees of rights, 50-78-201, 50-78-306
- OSHA standard, regulation by — effect, 50-78-104
- rights of employee, adverse action or request for waiver not allowed, 50-78-204
- trade secret confidentiality, 50-78-205
- training and education programs provided by, 50-78-204, 50-78-305
- violations, 50-78-301, 50-78-402
- workplace chemical list, See **Work area or workplace**

Exemptions from provisions, 50-78-104

HAZARDOUS CHEMICALS (Continued)

Federal law, subject to
  employers, compliance, 50-78-301
  state provisions, compliance with, 50-78-103
Federal Occupational Safety and Health Administration, violations reported to, 50-78-402
Fire prevention and safety
  fire chiefs, duties, 50-78-102, 50-78-301
  rules concerning, 50-3-103
Food, nonapplicability of provisions, 50-78-103
Health care facilities, 50-78-103
Information
  employee, to — effect on employers, 50-78-401
  program, 50-78-306
Injunction to prevent disclosure of trade secret, 50-78-205
Inspections, 50-78-301
Investigation of violations, 50-78-402
Judicial review of trade secret claim invalidity, 50-78-205
Labels, 50-78-102
  interpretation, instruction for, 50-78-305
  not required when, 50-78-206
  sealed containers during transportation, 50-78-103
Laboratories, 50-78-103, 50-78-301
Local fire chief, duties, 50-78-301
Local health officers, complaints to, 50-78-402
Manufacturers, See **Chemical manufacturers**
Manufacturing employers, 50-78-102, 50-78-401, See also **Employers**
Material safety data sheets, 50-78-102
  accessibility to employees, 50-78-103, 50-78-203, 50-78-204
  current, to be, 50-78-203
  interpretation, instruction for, 50-78-305
  manufacturers or distributors to provide, 50-78-203
  retention by employer, 50-78-103
  trade secret, withholding of chemical name, 50-78-205
  workplace chemical list, information for, 50-78-202
Medical emergencies or services, chemical identities to be provided, 50-78-205
Nonmanufacturing employers, 50-78-102, See also **Employers**
OSHA standard, 50-78-102
  medical emergencies or services, chemical identities to be provided, 50-78-205
  relationship to, 50-78-104
  training programs, 50-78-204
  violations, reporting, 50-78-402
Pharmacies, 50-78-103
Professional offices, 50-78-103
Protective measures and equipment for handling, 50-78-204, 50-78-305
Radioactive substances, nonapplicability of provisions, 50-78-103
Retail food sale or trade establishments, nonapplicability, 50-78-103
Rights of employees, See **Employees**
Safety considerations, 50-78-301, 50-78-305
Trade secrets, 50-78-102, 50-78-205, 50-78-206
Training programs for employees, 50-78-204, 50-78-305
Transportation, applicability of provisions, 50-78-103
Violations
  employee rights, employer's request or requirement for waiver, 50-78-204
  local fire chief, reporting, 50-78-301
  penalties, 50-78-402

HAZARDOUS CHEMICALS (Continued)
Violations (Continued)

  trade secret information, unauthorized use or disclosure, 50-78-205
Work area or workplace, 50-78-102
  chemical list, 50-78-102
    availability to employees, 50-78-202, 50-78-204
    compilation and maintenance, 50-78-202
    trade secret, withholding of chemical name, 50-78-205
  inspections, 50-78-301
  laboratories, 50-78-103, 50-78-301

HAZARDOUS SUBSTANCES
  See also **HAZARDOUS WASTES; RADIOACTIVE SUBSTANCES**
Access to information or premises by officers and employees of the Department of Health and Environmental Sciences, 50-30-107, 50-30-108, 50-30-301
Accidents, 10-3-103, See also **EMERGENCIES AND EMERGENCY POWERS**
  investigation, 50-30-106
  prevention programs, 50-30-104
  procedures, 50-30-104
Actions, See also **Prohibited acts**
  disclosure of information, 50-30-301
  publication of judgments, decrees, or orders, 50-30-105
Anhydrous Ammonia Facilities Safety Act, Title 80, chapter 10, part 5, See **COMMERCIAL FERTILIZERS**
Applicability of laws
  carriers, 50-30-108
  food, drugs, and cosmetics, 50-30-201, 50-30-202, 50-30-301
  pesticides, 50-30-106, 50-30-201
  radioactive substances, 50-30-201, 50-30-204, 50-30-210
Banned hazardous substances
  authorization of ban, 50-30-219
  declaration, 50-30-219
  definitions, 50-30-203, 50-30-220
  detainer or embargo, 50-30-307
  introduction unlawful, 50-30-301
  receipt unlawful, 50-30-301
  toys and other children's articles, 50-30-220
Boats, ventilation system required when, 23-2-521
Carriers, inspection and applicability of laws, 50-30-108, See also **Transportation**
CERCLA, Title 75, chapter 10, part 6, See **HAZARDOUS WASTES**
Citation of Consumer Product Safety Act of 1975, 50-30-101
"Combustible" defined, 50-30-209
Comprehensive Environmental Cleanup and Responsibility Act, Title 75, chapter 10, part 7, See **HAZARDOUS WASTES, Remedial action upon release of hazardous substance**
Condemnation order, 50-30-307
Conflict of laws, 50-30-106
Consumer Product Safety Act of 1975, Title 50, chapter 30, See this main category generally
Containers, 50-30-201, 50-30-202, 50-30-209, 50-30-211, 50-30-218, 50-30-301
Cooperation with other governmental agencies, 50-30-104
"Corrosive" defined, 50-30-206
Cosmetics, applicability of laws, 50-30-201, 50-30-202, 50-30-301
Criminal charges, See **Prohibited acts**
Declaration of hazardous substance, 50-30-215
Definitions, generally, 50-30-102
Destruction of banned or misbranded hazardous substances, 50-30-307

HAZARDOUS SUBSTANCES (Continued)

Detainer of banned or misbranded hazardous substances, 50-30-307
Disposal of wastes, See **HAZARDOUS WASTES; RADIOACTIVE SUBSTANCES**
Drugs, applicability of laws, 50-30-201, 50-30-202, 50-30-301, See **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**
Educational programs and materials, 50-30-104, 50-30-105
Electrical hazard, 50-30-201, 50-30-203, 50-30-212, 50-30-220
"Extremely flammable" defined, 50-30-209
Factories where handled, access by officers of department of health and environmental sciences, 50-30-107
Federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Title 75, chapter 10, part 6, See **HAZARDOUS WASTES, CERCLA**
Federal Hazardous Substances Act, adoption by reference, 50-30-103
"Flammable" defined, 50-30-209
Food, applicability of laws, 50-30-201, 50-30-202, 50-30-301
Glue sniffing unlawful, 45-9-121
"Hazardous substance" defined, 50-30-201
"Highly toxic" defined, 50-30-205
"Immediate container" defined, 50-30-211
Inhalation or ingestion, possession for unlawful, 45-9-121
Injunction restraining violations, 50-30-306
Inspections
  access to information and premises, 50-30-107
  authorization, 50-30-107
  carriers, 50-30-108
  refusal unlawful, 50-30-301
Introduction in commerce unlawful, 50-30-301
Investigations, 50-30-106
  publication of results, 50-30-105
"Irritant" defined, 50-30-207
Jurisdiction of courts, 50-30-102, 50-30-220, 50-30-307
Labeling, 50-30-211
  additional requirements, 50-30-216
  alteration unlawful, 50-30-301
  chemical sets for children, 50-30-203
  compliance, 50-30-218
  contents, 50-30-202
  correction, 50-30-307
  destruction unlawful, 50-30-301
  exemptions, 50-30-217
  inspection of, 50-30-107
  misbranded hazardous substances, 50-30-202, 50-30-216
    correction, 50-30-307
    detainer when, 50-30-307
  radioactive substances when, 50-30-201
  removal unlawful, 50-30-301
Management, agreements concerning, 80-8-110
Mechanical hazard, 50-30-213, 50-30-220
Minors' transporting prohibited, 41-2-106
Misbranded hazardous substances, See **Labeling**
Nuclear regulation, Title 75, chapter 3, See **RADIOACTIVE SUBSTANCES**
Officers and employees of Department of Health and Environmental Sciences, access to information and premises for inspection, 50-30-107, 50-30-108
Paint sniffing, 45-9-121
Penalties, See **Prohibited acts**
Pesticides, applicability of laws, 50-30-106, 50-30-201, See also **PESTS AND PESTICIDES**

HAZARDOUS SUBSTANCES (Continued)

Poison, label designation, 50-30-202, See also **POISON**
Product Safety Act of 1975, Consumer, Title 50, chapter 30, See this main category generally
Prohibited acts
  condemnation order, 50-30-307
  criminal charges and penalty, 45-9-121, 50-30-304, 50-30-305
  destruction of hazardous substance, 50-30-307
  detainer, 50-30-307
  embargo, 50-30-307
  exceptions to penalty, 50-30-305
  fines, 50-30-304
  good faith in receipt or delivery of substance, effect, 50-30-301, 50-30-305
  guarantee against, 50-30-301, 50-30-305
  hearing, 50-30-302
  injunction, 50-30-306
  inspections, failure to permit, 50-30-301
  introduction of banned or misbranded hazardous substance, 50-30-301
  label, alteration or removal, 50-30-301
  notice, 50-30-302, 50-30-307
  penalty, 50-30-304, 50-30-305
  possession for inhalation or ingestion, 45-9-121
  prosecution, 50-30-302, 50-30-303
  publication of judgments, decrees, or orders, 50-30-105
  receipt of misbranded or banned hazardous substance, 50-30-301
  reused containers, introduction in, 50-30-301
  trade secrets, disclosure, 50-30-301
  undertaking against, 50-30-301, 50-30-305
Publication of information, 50-30-105
Radioactive substances, applicability of laws, 50-30-201, 50-30-204, 50-30-210, See **RADIOACTIVE SUBSTANCES**
Railroads, transporting by — unlawful when, 69-14-562
Receipt in commerce unlawful, 50-30-301
"Regulated substance" defined, 75-10-403, See **HAZARDOUS WASTES**
Release, See **HAZARDOUS WASTES, Remedial action upon release of hazardous substance**
Reused containers for, unlawful, 50-30-301
Rulemaking authority, 50-30-103
  banned hazardous substances, classification by, 50-30-203
  declaration of hazardous substance, 50-30-215
  federal hazardous substances act, adoption by reference, 50-30-103
  flammability determinations, 50-30-209
  labeling requirements
    additional, 50-30-216
    exemptions, 50-30-202, 50-30-217
  radioactive substances, labeling, 50-30-201
  toys, determination of hazard, 50-30-201, 50-30-203, 50-30-220
Samples of hazardous substances, labels, and packaging for inspection, 50-30-107
Storage, educational programs, 50-30-104
"Strong sensitizer" defined, 50-30-208
Thermal hazards, 50-30-214, 50-30-220
"Toxic" defined, 50-30-204
Toys and other children's articles
  banned hazardous substance when, 50-30-203
    judicial review of ban, 50-30-220
  chemical sets, exemptions, 50-30-203

HAZARDOUS SUBSTANCES (Continued)
Toys and other children's articles (Continued)

  hazardous substance when, 50-30-201, 50-30-220
  misbranded hazardous substance when, 50-30-202
Trade secrets, disclosure, 50-30-301
Transportation
  carriers, inspection, 50-30-108
  commercial motor vehicle, 61-1-134, 61-8-805, 61-8-806, 61-8-811
    driver's license requirements, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Drivers' licenses**, commercial vehicle operator's endorsement
    hazardous materials, defined, 61-1-137
  educational programs, 50-30-104
  inspection of vehicles and records, 50-30-107, 50-30-108
  minors' employment prohibited, 41-2-106
  railroads, by — unlawful when, 69-14-562
Underground Storage Tank Installer Licensing and Permitting Act, Title 75, chapter 11, part 2, See **HAZARDOUS WASTES**
Unlawful acts, See **Prohibited acts**
Warehouses where stored, inspection, 50-30-107
Waste disposal, See **HAZARDOUS WASTES; RADIOACTIVE SUBSTANCES**

HAZARDOUS WASTES
  See also **HAZARDOUS SUBSTANCES; RADIOACTIVE SUBSTANCES**
Actions
  CERCLA, remedial actions, Title 75, chapter 10, part 6
  enforcement proceedings, 75-10-413, 75-10-417, 75-10-418
  hazardous substance, remedial action upon release, See also **Remedial action upon release of hazardous substance**
    contribution, for, 75-10-711, 75-10-718, 75-10-719, 75-10-724
    indemnification, for, 75-10-718
    liability, resolution, 75-10-719
    orders, 75-10-707, 75-10-711
    recovery of costs, damages, or penalties, 75-10-424, 75-10-711, 75-10-715, 75-10-720, 75-10-722
    relief, legal or equitable — for, 75-10-711
    "remedial action" defined, 75-10-701
    third parties, by, 75-10-718
  imminent hazard, to protect public health or environment, 75-10-415, 75-11-220
  injunction, for, 75-10-413, 75-10-414, 75-11-218 — 75-11-220, 75-11-223, 75-11-224
  petroleum storage tank releases, authority concerning board and department, 75-11-318, 75-11-320
  remedial, Title 75, chapter 10, parts 6 and 7
  underground storage tanks or installers
    enforcement proceedings, 75-11-223, 75-11-224
    imminent hazard, to abate, 75-11-220
    injunction, 75-11-218 — 75-11-220, 75-11-223, 75-11-224
    penalties, collection, 75-10-423
  venue, 75-10-420, 75-10-715
Administration of provisions
  CERCLA, 75-10-621
  hazardous wastes, 75-10-402, 75-10-404, 75-10-413, 75-10-621
  petroleum storage tank releases, 75-11-301, 75-11-313, 75-11-318, 75-11-319
  remedial action upon release of hazardous substance, 75-10-701
  underground storage tank program, 75-11-227
Agriculture, Department of — agreements with, 80-8-110
Air quality permit for incineration facility, 75-2-215
Appeals, 75-10-407

HAZARDOUS WASTES (Continued)

Cease and desist orders, 75-10-711
CERCLA
- bonds, 75-10-623
  - agreement between department and board of examiners, 75-10-626, 75-10-627
  - authorization, 75-10-623, 75-10-625
  - benefit of state, 75-10-627, 75-10-628
  - payment obligation, 75-10-628
- CERCLA match debt service account
  - appropriation to, 75-10-621, 75-10-622
  - sufficiency, 75-10-623
- cooperative agreements, 75-10-603, 75-10-604
- definitions, 75-10-602, 75-10-701
- hazardous waste/CERCLA special revenue account
  - appropriations from, 75-10-621
  - revenue for, 15-38-202, 75-10-621, 75-10-623, 75-10-625
  - unused balances, 75-10-621
- penalties or damages collected under, disposition, 75-10-621
- purpose of provisions, 75-10-601
- state lands and buildings acquired pursuant to, acceptance or disposal, 77-1-211, 77-2-302

Citations
- comprehensive environmental cleanup and responsibility act, 75-10-705
- hazardous waste and underground storage tank act, 75-10-401
- infectious waste management act, 75-10-1001
- Montana underground storage tank installer licensing and permitting act, 75-11-201

Classification, 75-10-405
Cleanup
- orders, 75-10-416, 80-8-305
- petroleum storage tank releases, corrective action, 75-11-302, See **Petroleum storage tank releases**
- remedial action upon release of hazardous substance, 75-10-602, 75-10-701, 75-10-706, 75-10-707, 75-10-721, See also **Remedial action upon release of hazardous substance**

Commercial fertilizers, applicability of laws, 75-10-602, 75-10-701
Compliance
- hazardous wastes
  - injunction to compel, 75-10-414
  - monitoring and reporting, 75-10-409
  - variance procedures, 75-10-408
  - violations, 75-10-418, 80-8-305
- petroleum storage tanks and owners and operators, 75-11-307 — 75-11-309
- remedial action upon release of hazardous substance, orders, 75-10-707
- underground storage tank or installer provisions, 75-11-213, 75-11-218, 75-11-219, 75-11-225

Comprehensive Environmental Cleanup and Responsibility Act, Title 75, chapter 10, part 7, See **Remedial action upon release of hazardous substance**
Confidentiality of information, 75-10-707
Conflict of laws, 75-10-421, 75-11-226
Containers, 75-10-410, 75-10-602, 75-10-701, 75-10-707, 75-10-1005
Contempt, 75-10-413, 75-10-707
Cooperation with other agencies, 75-10-404, 75-10-601 — 75-10-604, 75-10-621, 80-8-110
Coordination of programs, 75-10-404
Corrective action
- hazardous wastes
  - facilities, 75-10-405, 75-10-406
  - violations, order for, 75-10-413

HAZARDOUS WASTES (Continued)
Corrective action (Continued)

- petroleum storage tank releases, 75-11-302, See **Petroleum storage tank releases**
- underground storage tanks
  - costs, damages, and penalties, 75-10-447
  - leakage, 75-10-405
  - matching funds, 75-10-621, 75-10-623, 75-10-625
  - order for, 75-11-218

Destruction, remedial action, 75-10-602, See **Remedial action upon release of hazardous substance**

Disposal, 75-10-403
- agreements, 80-8-110
- cleanup orders, 75-10-416, 80-8-305
- emergency permits, 75-10-406
- facilities, See **Facilities**
- facility siting decisions resulting in, 75-10-407
- halogenated solvents, 75-5-311, 75-10-451
- household hazardous waste, 75-10-104, 75-10-807
- infectious waste, 75-10-1003 — 75-10-1006
- petroleum storage tank releases, See **Petroleum storage tank releases**
- program for, 75-10-402
- "release" defined, 75-10-602, 75-10-701
- requirements, rules for, 75-10-405
- research, science, and technology development projects, See **SCIENCE AND TECHNOLOGY FINANCING**
- sanitarians, duties, 37-40-101, See also **SANITARIANS**
- sites, See **Facilities**
- solid waste disposal sites, at, 75-10-406
- streamside management zones, prohibited practices, 77-5-303
- unlawful, 75-10-416, 75-10-422

Emergencies
- permits for facilities, 75-10-406
- remedial action upon release of hazardous substance, 75-10-621, 75-10-712, 75-10-716, 75-10-717
- responders, recovery of costs, 75-10-716, 75-10-717
- response plans of facilities, 75-10-441
- underground storage tanks, permits for installation or closure, 75-11-212
- variances, effect, 75-10-408

Enforcement
- hazardous wastes, 75-10-404, 75-10-407, 75-10-410, 75-10-417, 75-10-418
  - administrative, 75-10-413
  - permit violations, 75-10-407
  - proceedings, 75-10-413, 75-10-417, 75-10-418
  - program, of, 75-10-402
- petroleum storage tank releases, 75-11-301, 75-11-307
- remedial action upon release of hazardous substance, 75-10-701, 75-10-707, 75-10-711
- underground storage tank installers, 75-11-218, 75-11-223, 75-11-224
- underground storage tanks, 75-11-218, 75-11-220
  - leak prevention program, 75-10-402
  - proceedings, 75-11-223, 75-11-224

Environmental contingency account, use, 75-1-1101

Environmental quality protection fund, See **Remedial action upon release of hazardous substance**

Environmental Sciences, Division of — administration expenses, 75-10-621

Examiners, Board of — CERCLA bonds, duties, 75-10-623, 75-10-625, 75-10-626

Facilities, 75-10-403, 75-10-431, 75-10-701
- access by department, 75-10-707

HAZARDOUS WASTES (Continued)
Facilities (Continued)

- availability to state, 75-10-603
- classes or categories, permits granted by, 75-10-406, 75-10-431
- closure and postclosure, 75-10-405
- compliance monitoring and reporting, 75-10-409
- corrective action for releases, 75-10-405, 75-10-406
- emergency, 75-10-406, 75-10-441
- entry by department, 75-10-707
- establishment, 75-10-405, 75-10-412
- fees, 75-10-405, 75-10-412, 75-10-432, 75-10-433
- filing and review fees, 75-10-432
- financial assurances, 75-10-405, 75-10-406
- halogenated solvents, 75-5-311, 75-10-451
- information, public availability, 75-10-405
- injunction, 75-10-414, 75-10-415
- inspections, 75-10-405, 75-10-410, 75-10-707
- inventory of storage or disposal sites, 75-10-411
- maintenance and operation, 75-10-405, 75-10-406, 75-10-412, 75-10-441
- owners or operators, remedial action upon release of hazardous substance, 75-10-701
    - agreements to perform, 75-10-723
    - liability, 75-10-715, 75-10-719
    - samples, receipt and analysis, 75-10-707
    - trade secret information, claim for confidentiality, 75-10-707
- permits required, 75-10-405 — 75-10-407, 75-10-422
- property for, 75-10-412
- proposed, hearing and notice requirements, 75-10-405, 75-10-441
- purpose of provisions, 75-10-402
- records, 75-10-405, 75-10-409, 75-10-410, 75-10-707
- releases
    - allowed by permit, 75-10-715
    - corrective action, 75-10-406
- remedial action upon release of hazardous substance, See **Remedial action upon release of hazardous substance**
- reports, 75-10-405, 75-10-411
- rules regarding, 75-10-405, 75-10-406, 75-10-418
- samples, collection and analysis, 75-10-409, 75-10-707
- siting, 75-10-402, 75-10-405
- state, 75-10-405, 75-10-412
- testing, 75-10-411
- variance procedures, 75-10-408
- venue for legal actions, 75-10-420
- violations, 75-10-418

Facility siting decisions, concurrent studies, 75-10-407
False statements or representations, 75-10-418, 75-11-321
Federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Title 75, chapter 10, part 6, See **CERCLA**
Federal funds, matching, 75-10-621, 75-10-623, 75-10-625
Federal program participation, 75-10-419
Federal provisions

- CERCLA, cooperative agreements, 75-10-603, 75-10-604
- hazardous wastes, state more restrictive — prohibited when, 75-10-405, 75-10-408
- infectious waste, sterilization techniques, 75-10-1005
- petroleum storage tank releases, applicability, 75-11-301, 75-11-307 — 75-11-309
- remedial action upon release of hazardous substance, applicability, 75-10-701, 75-10-715, 75-10-718, 75-10-720, 75-10-721, 75-10-724

HAZARDOUS WASTES (Continued)
Federal provisions (Continued)

  underground storage tanks
    corrective action, matching funds, 75-10-621, 75-10-623, 75-10-625
    installer's license, effect of violation of federal rules, 75-11-211
Fines for violations, 75-10-418, 75-11-224, 75-11-321
Generation of waste, 75-10-402, 75-10-403
Generators, 75-10-403
  fees, 75-10-433, 75-10-434
  infectious waste, 75-10-1003, 75-10-1005, 75-10-1006
  injunction, 75-10-415
  liability for release of hazardous substance, 75-10-715
  registration requirements, 75-10-405
  variance procedures, 75-10-408
Grants, 75-10-404, 75-10-704
Halogenated solvents
  registration and sale, 75-10-451
  water quality district ordinances, 75-5-311
"Hazardous or deleterious substance" defined, 75-10-701
"Hazardous substance" defined, 75-10-602
Hazardous Waste and Underground Storage Tank Act, Title 75, chapter 10, part 4
Household hazardous waste, 75-10-104, 75-10-203, 75-10-215, 75-10-807
Identification
  hazardous wastes, 75-10-403, 75-10-405
  infectious waste, steam-sterilized, 75-10-1005
  remedial action upon release of hazardous substance
    costs, damages, and penalties, 75-10-720
    natural resources impaired by release, liability concerning damage costs, 75-10-715
    persons liable, 75-10-704, 75-10-711
    release or threat of, 75-10-711
    substance, 75-10-707, 75-10-715
  underground storage tanks, as source of contamination, 75-11-202
Imminent danger to public health or environment
  hazardous or deleterious substances, 75-10-701, 75-10-704, 75-10-707, 75-10-711, 75-10-712, 75-10-720
  hazardous substances, 75-10-601 — 75-10-603
  hazardous wastes, 75-10-406, 75-10-411, 75-10-413 — 75-10-415, 75-10-601 — 75-10-603
  regulated substances, 75-10-411, 75-10-415
  underground storage tank installation or closure, 75-11-220
Implementation of Hazardous Waste Act, funding, 15-38-202, 75-10-532, 75-10-621
Incineration
  air quality permit, 75-2-215
  infectious waste, 75-10-1003, 75-10-1005
  remedial action, 75-10-602, See **Remedial action upon release of hazardous substance**
Industrial furnaces and boilers that burn wastes, rules and performance standards, 75-10-405
Infectious waste management
  citation of infectious waste management act, 75-10-1001
  definitions, 75-10-1003
  fees, 75-10-1006
  disposal, handling, and labeling, 75-10-1005
  incineration, 75-10-1003, 75-10-1005
  licensing and regulation, 75-10-1006
  management standards, 75-10-1005
  prohibition, 75-10-1004
  purpose of provisions, 75-10-1002

HAZARDOUS WASTES (Continued)
Infectious waste management (Continued)

- rules, 75-10-1004, 75-10-1006
- storage and transportation, 75-10-1003 — 75-10-1006

Infectious Waste Management Act, Title 75, chapter 10, part 10
Information, public availability, 75-10-405, 75-10-441, 75-10-451
Injunctions, 75-10-413 — 75-10-415, 75-10-417, 75-10-418, 75-10-707, 75-11-218 — 75-11-220, 75-11-223, 75-11-224
Inspections

- hazardous or deleterious substances, facilities, 75-10-707, 75-10-715
- hazardous wastes or regulated substances
  - facilities, 75-10-405
  - property, premises, or place, 75-10-410, 75-10-411, 80-8-110
- petroleum storage tank releases, 75-11-309
- underground storage tanks, 75-10-405, 75-10-410, 75-11-202, 75-11-204, 75-11-209, 75-11-212, 75-11-213, 75-11-224

Integration of programs, 75-10-404
Interstate cooperation, 75-10-419
Inventory of storage or disposal sites, 75-10-411
Investigations

- hazardous substances, 75-10-621
- hazardous wastes management, 75-10-404, 75-10-413
- petroleum storage tank releases, corrective action, 75-11-302, 75-11-309, See **Petroleum storage tank releases**
- remedial action upon release of hazardous substance, 75-10-621, 75-10-701, 75-10-704, 75-10-707, 75-10-711
- underground storage tank leaks, 75-10-447

Landfills, 75-10-701, 75-10-920, See also **Facilities**

- infectious waste, disposal, 75-10-1005

Legislative findings, 75-10-402, 75-10-601, 75-11-202, 75-11-301
Management, 75-10-403

- agreements, 80-8-110
- fees, 75-10-431 — 75-10-434
- infectious waste, Title 75, chapter 10, part 10
- interstate cooperation, 75-10-419
- purpose of provisions, 75-10-402
- research and investigation, 75-10-404

Megalandfills, illegal dumping, 75-10-920
Monitoring activities

- hazardous waste facilities or sites, 75-10-405, 75-10-409, 75-10-411
- petroleum storage tank releases, 75-11-302, 75-11-309
- regulated substance facilities or sites, 75-10-411
- remedial action upon release of hazardous substance, 75-10-602, 75-10-701, 75-10-711
- underground storage tanks, 75-11-203

Motor oil recycling center, notice, 75-10-1101
Noncompliance with provisions, 75-10-406, 75-10-409, 75-10-410, 75-10-711, 75-10-714
Nuclear, Title 75, chapter 3, See **RADIOACTIVE SUBSTANCES**
Nuisances, public — abatement, 75-10-404
Penalties

- administrative, 75-10-423, 75-10-424, 75-10-704, 75-10-714
- civil, 75-10-417, 75-10-704, 75-10-711, 75-10-715, 75-10-722, 75-11-223, 75-11-227
- criminal, 75-10-418, 75-11-224, 75-11-227, 75-11-321
- lien, as, 75-10-720

Permits

- incineration facility, 75-2-215
- infectious waste management, 75-10-1006
- management facilities, 75-10-405 — 75-10-407, 75-10-422

HAZARDOUS WASTES (Continued)
Permits (Continued)

- underground storage tanks, 75-10-405, 75-10-447

Pesticides, applicability of laws, 75-10-701, 80-8-110
Petroleum and petroleum products, See **Petroleum storage tank releases; Remedial action upon release of hazardous substance; Underground storage tanks**
Petroleum storage tank releases, Title 75, chapter 11, part 3

- accidental release, 75-11-302, 75-11-308
- administration of provisions, 75-11-301, 75-11-313, 75-11-318, 75-11-319
- authorities unaffected, 75-11-320
- board, petroleum tank release compensation, 2-15-2108, 75-11-318
- cleanup fee, 75-11-301, 75-11-314, 75-11-319
- corrective action plan, 75-11-301, 75-11-302, 75-11-309, 75-11-318
- criminal penalties, 75-11-321
- definitions, 75-11-302
- enforcement, 75-11-301, 75-11-307
- farm or residential, 75-11-231, 75-11-307
- fines, 75-11-321
- fund, petroleum tank release cleanup, 75-11-302
  - establishment and administration, 75-11-313, 75-11-318
  - reimbursement of eligible costs from, 75-11-307 — 75-11-309
- hearings, 75-11-309, 75-11-318
- inspections or investigations, 75-11-302, 75-11-309
- legislative findings, 75-11-301
- notices, 75-11-308, 75-11-309, 75-11-314
- penalties, 75-11-321
- purpose of provisions, 75-11-301
- records and reports, 75-11-309, 75-11-319
- reimbursement for expenses, 75-11-307
  - authorities unaffected, 75-11-320
  - eligibility, 75-11-308
  - procedures for, 75-11-309
- rulemaking authority, 75-11-319
- third parties, payments for bodily injury or property damage, 75-11-301, 75-11-302, 75-11-307, 75-11-309
- transportation, department of — cleanup fee collection, 75-11-318
- violations, 75-11-321

Petroleum Tank Release Compensation Board, 2-15-2108, 75-11-318
Policy of state, 75-10-402
Program, 75-10-402
Public availability of information concerning, 75-10-405
Public nuisances, abatement, 75-10-404
Purpose of provisions, 75-10-402, 75-10-706, 75-10-1002, 75-11-202, 75-11-301
Radioactive substances, Title 75, chapter 3, See **RADIOACTIVE SUBSTANCES**
Records

- CERCLA bonds and notes, 75-10-623
- hazardous or deleterious substance, remedial action upon release, 75-10-707, 75-10-722
- hazardous wastes, 75-10-405, 75-10-409, 75-10-410, 75-10-418
- petroleum storage tank cleanup fee, 75-11-319
- regulated substances, 75-10-410

Recovery, 80-8-110
Recycling, 75-10-451, 75-10-602, 80-8-110

- motor oil recycling center, notice, 75-10-1101

Registration of generators and transporters, 75-10-405
Regulated substances, 75-10-403, 75-11-203

- cleanup orders, 75-10-416
- disposal, 75-10-403, 75-10-404, 75-10-420, See **Disposal**

HAZARDOUS WASTES (Continued)
Regulated substances (Continued)

  imminent danger to public health or environment, 75-10-411, 75-10-415
  inventory of storage or disposal sites, 75-10-411
  records, 75-10-410
  storage, 75-10-403, 75-11-203, See **Storage**
  underground storage tanks for, 75-10-402, 75-10-403, 75-10-410, 75-11-203
  use, 75-11-203, See **Underground storage tanks**
  venue for legal actions, 75-10-420
Releases, 75-10-602, 75-10-701
  "contaminant" defined, 75-10-602
  corrective action by facilities, 75-10-406
  petroleum storage tanks, Title 75, chapter 11, part 3, See **Petroleum storage tank releases**
  remedial action, See **Remedial action upon release of hazardous substance**
  site monitoring, testing, analysis, and reporting, 75-10-411
Remedial action upon release of hazardous substance
  access to facilities, 75-10-707
  administration, 75-10-701
  administrative
    order, public meeting, 75-10-713
    penalties, 75-10-704, 75-10-714
    settlement, 75-10-719
  agreements to perform, 75-10-723
  bid requirements, nonapplicability, 75-10-703
  cease and desist orders, 75-10-711
  CERCLA, under, 75-10-603, 75-10-621, 75-10-625, 75-10-718
  citation of comprehensive environmental cleanup and responsibility act, 75-10-705
  civil penalties, 75-10-704, 75-10-711, 75-10-715, 75-10-722
  cleanup, 75-10-602, 75-10-701, 75-10-706, 75-10-707, 75-10-721
  condemnation of property, 75-10-720
  confidentiality of information, 75-10-707
  consent decrees, public comment, 75-10-713, 75-10-723
  contempt, 75-10-707
  "contract" defined, 75-10-701
  contractor, 75-10-701, 75-10-718
  contribution, 75-10-711, 75-10-715, 75-10-724
    apportionment of liability, 75-10-724
    claims, 75-10-718, 75-10-719
  cooperative agreements, 75-10-603, 75-10-604
  cost-effective actions, 75-10-721
  costs, 75-10-603, 75-10-625, 75-10-701, 75-10-704, 75-10-711, 75-10-715, 75-10-717 — 75-10-720, 75-10-722
  damages, 75-10-704, 75-10-711, 75-10-715, 75-10-718, 75-10-720, 75-10-722, 75-10-723
  declaratory judgment concerning costs, 75-10-722
  defenses, 75-10-715, 75-10-718
  definitions, 75-10-602, 75-10-701
  department, by, 75-10-603, 75-10-703, 75-10-704, 75-10-711
  determination, 75-10-603, 75-10-707
  disposal facilities, availability to state, 75-10-603
  emergency actions, 75-10-621, 75-10-712
    responders, recovery of costs, 75-10-716, 75-10-717
  eminent domain, 75-10-720
  enforcement, 75-10-701, 75-10-707, 75-10-711
  entry of facilities, 75-10-707
  environmental quality protection fund, 75-10-701
    creation and administration, 75-10-704

HAZARDOUS WASTES (Continued)
Remedial action upon release of hazardous substance (Continued)
  environmental quality protection fund (Continued)
    environmental contingency account, 75-1-1101, 75-10-704
    expenditures, 75-10-704, 75-10-711
    revenue for, 15-38-202, 75-1-1101, 75-10-704, 75-10-711, 75-10-714, 75-10-722
  environmental requirements, 75-10-721
  evidence, 75-10-707, 75-10-715, 75-10-718, 75-10-724
  exemption of portion of action when, 75-10-721
  financial assurance, 75-10-704, 75-10-719, 75-10-721
  funding, 75-10-706
  good faith efforts to identify responsible persons, 75-10-711
  grant, application for, 75-10-704
  hearings, 75-10-714
  imminent hazard, 75-10-701, 75-10-704, 75-10-707, 75-10-711, 75-10-712, 75-10-720
  indemnification, claims, 75-10-718
  information gathering, 75-10-707, 75-10-711
  injunction, 75-10-707
  inspections of facilities, 75-10-707, 75-10-715
  investigations, 75-10-621, 75-10-701, 75-10-704, 75-10-707, 75-10-711
  judgments, 75-10-722, 75-10-724
  judicial
    consent decree, approval, 75-10-713
    orders, review, 75-10-711
    penalties, review, 75-10-714
    settlement, approval, 75-10-719
  liability
    action not admission, 75-10-703
    actions for resolution, 75-10-719
    apportionment, 75-10-724
    cease and desist or other orders to persons liable, 75-10-711
    contractor, 75-10-718
    contribution, 75-10-718, 75-10-719, 75-10-724
    costs, for, 75-10-715, 75-10-718 — 75-10-720, 75-10-722
    damages, 75-10-715, 75-10-718, 75-10-720, 75-10-722
    discharge of potentially liable persons, 75-10-719
    emergency actions, notice to persons liable, 75-10-712
    establishment, 75-10-715, 75-10-718
    exemption, 75-10-718
    failure of persons to provide appropriate action, 75-10-711, 75-10-715
    financial assurance, 75-10-704, 75-10-719, 75-10-721
    identification of persons liable, 75-10-704, 75-10-711
    immediate action required by persons liable, 75-10-711
    immunity, 75-10-718
    joint and several, 75-10-715, 75-10-724
    noncompliance of persons liable, 75-10-711, 75-10-715
    nonliability, establishment, 75-10-715
    notice to persons liable, 75-10-711, 75-10-712, 75-10-715, 75-10-720
    participation and financial contribution of persons liable, 75-10-704, 75-10-711, 75-10-714
    penalties assessed to persons liable, 75-10-711, 75-10-714, 75-10-715, 75-10-720, 75-10-722
    previous owners or operators, 75-10-715
    reimbursement of fund by persons liable, 75-10-711
    settlement, 75-10-719
  lien created when, 75-10-720
  maintenance, 75-10-603, 75-10-621, 75-10-625, 75-10-721
  matching funds, 75-10-621

HAZARDOUS WASTES (Continued)
Remedial action upon release of hazardous substance (Continued)

- monitoring, 75-10-701, 75-10-711
- natural resources, 75-10-701
  - damages, 75-10-704, 75-10-715, 75-10-720, 75-10-723
  - emergency actions, 75-10-712
- noncompliance with orders, 75-10-711, 75-10-714, 75-10-715
- notices and orders, 75-10-701, 75-10-707, 75-10-711 — 75-10-715, 75-10-720
- penalties, 75-10-704, 75-10-711, 75-10-714, 75-10-715, 75-10-720, 75-10-722
- public comment, order or decrees, 75-10-713, 75-10-723
- purpose of provisions, 75-10-706
- records, 75-10-707, 75-10-722
- recovery of costs, damages, or penalties, 75-10-704, 75-10-711, 75-10-715, 75-10-720, 75-10-722
- "release" defined, 75-10-602, 75-10-701
- rulemaking authority, 75-10-702
- samples from facilities, 75-10-707
- selection of action, 75-10-721
- sites, establishment and implementation, 75-10-704
- state lands and buildings acquired as, disposal, 77-2-302
- state participation, 75-10-621, 75-10-625
- statute of limitation, actions for recovery of costs, 75-10-722
- subpoena, 75-10-707
- third parties, 75-10-715, 75-10-718
- trade secret information, confidentiality, 75-10-707
- upper clark fork river basin, partial closure — exception, 85-2-336
- violation of orders, 75-10-711, 75-10-714
- voluntary, 75-10-703, 75-10-706
- witnesses, 75-10-707

Remedies cumulative, 75-10-421
Reports
- hazardous wastes, concerning, 75-10-405, 75-10-409, 75-10-411, 75-10-418
- petroleum storage tanks
  - cleanup fee, 75-11-319
  - owners and operators, 75-11-309
- regulated substances, concerning, 75-10-411
- underground storage tank or installer provisions
  - false statements or representations, 75-11-224
  - installation inspections, 75-11-213

Research programs, 75-10-404, 75-10-1003
Reuse, 75-10-451, 75-10-602
Samples and analysis, 75-10-409 — 75-10-411, 75-10-707
Sanitarians, duties, 37-40-101, See also **SANITARIANS**
Site monitoring — testing, analysis, and reporting, 75-10-411
Solid waste disposal sites, disposal at, 75-10-406, 75-10-715
Solvents, halogenated
- registration and sale, 75-10-451
- water quality district ordinances, 75-5-311

State facilities, 75-10-405, 75-10-412
Storage, 75-10-403
- agreements, 80-8-110
- emergency permits, 75-10-406
- facilities, See **Facilities**
- facility siting decisions resulting in, 75-10-407
- halogenated solvents, 75-5-311, 75-10-451
- infectious waste, 75-10-1003 — 75-10-1006
- petroleum, See **Petroleum storage tank releases**

HAZARDOUS WASTES (Continued)
Storage (Continued)

- program for, 75-10-402
- remedial action upon release of hazardous substance, 75-10-602, See **Remedial action upon release of hazardous substance**
- requirements, rules for, 75-10-405
- sites, See **Facilities**
- streamside management zones, prohibited practices, 77-5-303
- underground tanks, See **Petroleum storage tank releases; Underground storage tanks**
- sanitarians, duties, 37-40-101, See also **SANITARIANS**

Streamside management zones, prohibited practices, 77-5-303
Studies, publication, 75-10-404
Subpoenas, 75-10-413, 75-10-707
Trade secret information, confidentiality, 75-10-707
Transfer facilities, 75-10-403, 75-10-405
Transportation, 75-10-403
- agreements, 80-8-110
- commercial motor vehicle, 61-1-134, 61-8-805, 61-8-806, 61-8-811
  - driver's license, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Drivers' licenses**, commercial driver's license
  - "hazardous materials" defined, 61-1-137
- facility siting decisions resulting in, 75-10-407
- infectious waste, 75-10-1003 — 75-10-1005
- manifests, 75-10-403, 75-10-405, 75-10-418
- program for, 75-10-402
- requirements, rules for, 75-10-405
- violations, 75-10-418

Transporters, 75-10-403
- infectious waste, 75-10-1005, 75-10-1006
- injunction, 75-10-415
- liability for release of hazardous substance, 75-10-715
- registration requirements, 75-10-405
- reports and records, 75-10-405
- variance procedures, 75-10-408

Treatment, 75-10-403
- agreements, 80-8-110
- cleanup orders, 75-10-416
- emergency permits, 75-10-406
- facilities, See **Facilities**
- halogenated solvents, 75-5-311, 75-10-451
- infectious waste, 75-10-1003 — 75-10-1006
- program for, 75-10-402
- remedial action upon release of hazardous substance, 75-10-602, See **Remedial action upon release of hazardous substance**
- requirements, rules for, 75-10-405
- research, science, and technology development projects, See **SCIENCE AND TECHNOLOGY FINANCING**
- sites, See **Facilities**

Underground Storage Tank Installer Licensing and Permitting Act, Title 75, chapter 11, part 2
Underground storage tanks
- accounts, 75-10-447, 75-11-213, 75-11-227
- administrative enforcement, 75-10-413, 75-10-423, 75-11-218, 75-11-220
- appeals, 75-10-423
- application of other law, 75-11-226

HAZARDOUS WASTES (Continued)
Underground storage tanks (Continued)

- citation of Montana underground storage tank installer licensing and permitting act, 75-11-201
- civil penalties, 75-11-223
- compliance, 75-11-213, 75-11-218, 75-11-219, 75-11-225
- conflict of laws, 75-11-226
- construction, 75-10-405, 75-11-212
- corrective action, 75-10-405, 75-10-447, 75-11-218
- criminal penalties, 75-11-223, 75-11-224
- damages, 75-11-227
- definitions, 75-10-403, 75-11-203
- design standards, 75-10-405
- enforcement proceedings, 75-11-223, 75-11-224
- entry of premises or property, 75-11-213
- exemption, 75-11-217, 75-11-231
- false statements or representations, 75-11-224
- federal funds, matching, 75-10-621, 75-10-623, 75-10-625
- fees, 75-10-405, 75-11-202, 75-11-204, 75-11-213, 75-11-227
- financial responsibility, 75-10-405
- fines, 75-11-224
- hearings, 75-10-423, 75-11-218
- imminent hazard, 75-11-220
- injunction, 75-11-218 — 75-11-220, 75-11-223, 75-11-224
- investigation of leaks, 75-10-447
- judicial proceedings, 75-11-218, 75-11-220
- leaks, prevention program
  - administration and enforcement, 75-10-402, 75-11-227
  - implementation, 75-10-447
  - investigations, 75-10-447
  - reports, 75-10-405, 75-10-409
  - requirements for prevention and correction, 75-10-405
  - source of contamination, 75-11-202
- legislative findings, 75-11-202
- licenses and permits
  - account, 75-11-227
  - applications, 75-11-211
  - denial or modification, 75-11-204, 75-11-211
  - enforcement of terms, 75-11-223, 75-11-224
  - examination, 75-11-210, 75-11-211
  - failure to have, 75-11-224
  - fees, 75-11-202, 75-11-204, 75-11-210, 75-11-211, 75-11-227
  - installation or closure, 75-10-209, 75-10-212, 75-10-224
    - imminent hazard, 75-10-220
    - inspection and fee, 75-10-209, 75-10-213
    - standards, 75-10-405
  - installer, requirements, 75-10-209, 75-10-210, 75-10-211
    - employees, as — exemption from penalties when, 75-11-223
    - exemption from requirement, 75-11-209, 75-11-217
    - local ordinances, limitations, 75-11-225
    - services required, 75-11-209, 75-11-224
    - training, 75-11-202, 75-11-204
  - issuance, 75-11-203, 75-11-204, 75-11-210
  - required, 75-11-210
  - revocation or suspension, 75-11-204, 75-11-211
  - validity, period of, 75-11-210
  - violations, 75-11-223, 75-11-224

HAZARDOUS WASTES (Continued)
Underground storage tanks (Continued)

- local agents, delegation of authority when, 75-10-405
- local governments
  - fees, remittance to, 75-11-204
  - ordinances, limitations, 75-11-225
- noncompliance, 75-10-410
- notices and orders, 75-11-210, 75-11-218, 75-10-220, 75-10-423
- penalties, 75-10-423, 75-11-223, 75-11-224, 75-11-227
- petroleum storage tanks, See **Petroleum storage tank releases**
- purpose of provisions, 75-10-402
- regulation, funding, 75-10-621
- release detection, prevention, and corrective action, 75-10-405
- remedies cumulative, 75-11-226
- reports, 75-11-213, 75-11-224
- rules, 75-10-405, 75-10-410, 75-11-204, 75-11-211 — 75-11-213, 75-11-218, 75-11-219, 75-11-223, 75-11-224, 75-11-226
- sanitarians, duties, 37-40-101, See also **SANITARIANS**
- underground storage tank license and permit account, 75-11-213, 75-11-227
- venue for legal actions, 75-10-420
- violations
  - injunction to restrain, 75-11-218, 75-11-219
  - notice, order, and hearing, 75-11-218
  - penalties, 75-10-413, 75-10-423, 75-11-223, 75-11-224, 75-11-227
  - remedies, authority, 75-10-402
- voluntary compliance, 75-11-218

Variance procedures, 75-10-408
Venue for legal actions, 75-10-420, 75-10-715
Violations
- halogenated solvents, sale when, 75-10-451
- hazardous wastes
  - corrective action, order for, 75-10-413
  - disposal, unlawful, 75-10-422
  - generally, 75-10-407, 75-10-413, 75-10-418
  - hearings, 75-10-413
  - injunction to restrain, 75-10-413, 75-10-414, 75-10-417, 75-10-418
  - notice to violator, 75-10-413
  - penalties, 75-10-417, 75-10-418
- petroleum storage tank releases, generally, 75-11-321
- remedial action upon release of hazardous substance
  - orders, 75-10-711, 75-10-714
  - penalties, 75-10-704, 75-10-711, 75-10-714
- underground storage tank installers
  - injunction to restrain, 75-11-218, 75-11-219
  - installation or closure of tanks, effect of violations concerning, 75-11-211
  - notice, order, and hearing, 75-11-218
  - penalties, 75-11-223, 75-11-224, 75-11-227
- underground storage tanks
  - injunction to restrain, 75-11-218, 75-11-219
  - notice, order, and hearing, 75-11-218
  - penalties, 75-11-223, 75-11-224, 75-11-227

Voluntary compliance, 75-10-413, 75-11-218
Warnings, 75-10-413, 75-11-218
Water quality district ordinances, limitations, 75-5-311
Witnesses, 75-10-413, 75-10-707

HEALTH AND ENVIRONMENTAL SCIENCES, BOARD OF
Absences of members, 50-1-302
Advisory authority, 50-1-301
Agricultural chemical ground water protection, duties, Title 80, chapter 15
Air quality, jurisdiction and authority, Title 75, chapter 2
Appointments to, 2-15-2104
Bylaws, 50-1-302
Composition, 2-15-2104
Counsel to, 50-1-102
Definitions, 50-1-101
Director of health and environmental sciences as secretary, 50-1-302
Employees, termination for disclosure of patient identity from health care information, 50-5-106
Facility Siting Act, duties, Title 75, chapter 20
Health care facilities, authority, Title 50, chapter 5
Law enforcement officers, assistance by, 50-2-120
Legal adviser, 50-1-102
Livestock, Department of — cooperation with, 81-2-106
Major Facility Siting Act, duties, Title 75, chapter 20
Meetings, 50-1-302
Megalandfill siting, duties, Title 75, chapter 10, part 9
Mental health construction plan, 53-21-204
Motor vehicle graveyard and wrecking facilities, duties, 75-10-501, 75-10-515
Oaths, administering, 50-1-301, 50-6-314
Occupational health and safety, regulatory authority, Title 50, chapter 70
Peace officers, assistance by, 50-2-120
Penalty for violations, general, 50-1-104
Public water supplies, duties, Title 75, chapter 6
Quasi-judicial, designation as, 2-15-2104
Radiation control, duties, Title 75, chapter 3
Rules of, enforcement, 50-1-104
School sites, requirements and violations, 20-6-624
Secretary, 50-1-302
Solid waste management, duties, Title 75, chapter 10
Subdivisions, monitoring or inspection of sanitary facilities, Title 76, chapter 4
Subpoena power, 50-1-302
Trade secrets concerning food, drugs, or cosmetics — disclosure to, 50-31-501
Underground storage tanks and installers, duties, Title 75, chapter 11, part 2
Vital statistics, disclosure of information, 50-15-113
Water quality control, responsibilities, Title 75, chapter 5
Water quality districts
  defined, 7-13-4502
  program, 7-13-4513, 7-13-4517
Water supplies, public — duties, Title 75, chapter 6
Workplace, health and safety regulatory authority, Title 50, chapter 70

HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT OF
  See also **EXECUTIVE BRANCH**
Abortion, authority, Title 50, chapter 20, part 1
Administrative authority, 50-1-202
Advisory authority to, 50-1-301
Advisory councils
  air pollution control, 2-15-2106
  food and nutrition, 2-15-2210
  water and wastewater operators, 2-15-2105

HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT... (Continued)
Advisory councils (Continued)

  water pollution control, 2-15-2107
Agricultural chemical ground water protection, duties, Title 80, chapter 15
AIDS testing and counseling, duties, Title 50, chapter 16
Air Pollution Control Advisory Council, 2-15-2106; Title 75, chapter 2, part 1
Air pollution control equipment, determination of use for tax purposes, 15-6-135
Air quality, responsibilities regarding, Title 75, chapter 2
Anatomical gifts, 72-17-102
  rulemaking authority, 72-17-213
Artificial insemination, filing of husband's consent — confidentiality, 40-6-106
Asbestos-related occupations and projects, duties, Title 75, chapter 2, part 5
Barbershops and schools or colleges, duties, Title 37, chapter 30
Beavers and dams obstructing streams, investigation and reports thereof, 87-1-224
Birth certificates, duties, Title 50, chapter 15
Blood tests
  alcohol concentration tests, 23-2-535, 39-2-304, 61-8-401 — 61-8-405, 67-1-211
  employment, regulations for, 39-2-304
  marriage, Title 40, chapter 1, part 2
  newborn infants, Title 50, chapter 19, part 1
  paternity proceedings, 40-5-201, 40-5-232 — 40-5-234, 40-5-236, 40-5-237, 40-6-112 — 40-6-115
  pregnancy, Title 50, chapter 19, part 1
Boats and boating, waste disposal — rules, 23-2-522
Bottled water, regulation, 50-31-103, 50-31-236 — 50-31-238
Bread, quality control authority, Title 50, chapter 34, part 1
Campgrounds, authority, Title 50, chapter 52
CERCLA, implementation, Title 75, chapter 10, part 6
Cesspool, septic tank, and privy cleaners — enforcement of provisions for, Title 37, chapter 41
Children's services, multiagency, Title 52, chapter 2, parts 2 and 3
Child welfare services, administration, 52-2-111, See also **Infants**
Cities and towns, powers regarding undertakings, 7-7-4407
Commerce, Department of — cooperation with, 81-23-103
Community homes for persons with severe disabilities
  inspections, 52-4-204
  licensing requirements, advice, 52-4-205
Community mental health centers, responsibilities, 53-21-201, 53-21-211 — 53-21-214
Consumer product safety, authority, Title 50, chapter 30, part 3
Contraceptives, dispensation at family planning clinics, 37-2-104, 37-7-103, 50-31-307
Cooperation with other governmental agencies, 50-1-202
Corpses, transportation — rulemaking authority, 50-1-202
Cosmetics, standards and quality control, Title 50, chapter 31
Cosmetology, sanitary rules regarding, 37-31-204, 37-31-331
Counsel to, 50-1-102
Creation, 2-15-2101
Dairy products and producers, duties concerning, Title 81, chapter 22
Day-care facilities and programs, duties, 52-2-704, 52-2-731, 52-2-733, 52-2-735
Death, list of deaths to county clerk and recorder, 72-16-217, 72-16-218; Title 50, chapter 15
Dentistry, authority, 50-1-202
Detergent phosphorus compounds, model rule on sale and distribution, Title 75, chapter 7, part 4
Developmentally disabled persons
  authority, 53-20-213, 53-20-305, 53-20-307
  report of abuse, neglect, or exploitation to, 52-3-811, 52-3-815
Dietitians, registration, Title 37, chapter 21

HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT... (Continued)

Director
  appointment and confirmation, 2-15-2101; Const., VI, 8
  developmental disabilities planning and advisory council, member, 2-15-2204
  flathead basin commission, ex officio member, 2-15-213
  land commissioners, board of — consultation with, 77-1-211, 77-2-302
  nursing home administrators, board of — member, 2-15-1845
  occupational health hearings officer, 50-70-110
  petroleum tank release compensation board, membership or representation on, 2-15-2108
  public health nutritionist, appointment, 50-49-107
  state prevention programs, interagency coordinating council for — member of, 2-15-225
  term of office, Const., VI, 8
  water pollution control advisory council secretary, designation, 75-5-221
  water well contractors, board of — appointments to, 2-15-3307
Disease control, See **DISEASES**
Do not resuscitate
  order, form prescribed by, 50-10-103
  rules, 50-10-101, 50-10-105
Drought Advisory Committee, representation, 2-15-3308
Drug standards and quality control, Title 50, chapter 31
Educational authority, 50-1-202, 50-19-211
Elderly persons — report of abuse, neglect, or exploitation to, 52-3-811, 52-3-815
Emergency medical services, authority, Title 50, chapter 6
Emission testing and certification standards, list of devices and rules establishing, 15-32-102, 15-32-203
Employees
  natural resource data system advisory committee, appointment to, 2-15-1514
  termination for disclosure of patient identity from health care information, 50-5-106
Enforcement authority, 50-1-103, 50-1-104, 50-1-202, 50-2-120, 50-2-123
Environmental Sciences, Division of
  functions, 2-15-2103
  hazardous waste and CERCLA provisions, administration expenses, 75-10-621
  water and wastewater operators' advisory council, administrator as member, 2-15-2105
Eye banks or storage facilities, approval, 72-17-312
Facility Siting Act, duties, Title 75, chapter 20
Family planning
  clinics, contraceptive dispensation provisions, 37-2-104, 37-7-103, 50-31-307
  MIAMI project services, 50-19-311
  services, programs for, 50-1-202
Family practice training program, supervision, 50-5-603
Federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 — implementation, Title 75, chapter 10, part 6
Federal funding, acceptance, 50-1-202
Federal health programs, administration, 50-1-202
Federal territory, enforcement of laws within, 2-1-202
Flour and bread, quality control authority, Title 50, chapter 34, part 1
Food and Nutrition, State Advisory Council on — allocation to and representation on, 2-15-2210
Food establishments, licensing and inspection, Title 50, chapter 50
Food programs and nutrition services, 2-15-2210; Title 50, chapter 49, part 1
Fort Peck Dam territory, enforcement of laws within, 2-1-209
Funding, 50-1-202
  genetics program, 33-2-712, 33-2-713
Genetics program, voluntary statewide, 33-2-712, 33-2-713, 50-19-211
Government Health Care Information Act, Title 50, chapter 16, part 6
Ground Water Assessment Steering Committee, appointments to, 2-15-1523

HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT... (Continued)

Ground water investigations, 85-2-512, 85-2-514
Handicapped children, program for, 50-1-202
Hazardous
  chemicals, duties, 50-78-102, 50-78-205, 50-78-306
  substances, Title 75, chapter 11
  wastes, duties, Title 75, chapter 10
Health care authority, Title 50, chapter 4
Health care facilities, authority, Title 50, chapter 5
Health care information, 50-5-106, 50-16-101, 50-70-107, 50-70-109; Title 50, chapter 16, part 6
HIV-related testing and counseling, duties, Title 50, chapter 16
Hospices, 50-5-210, 50-5-211
Hotels and lodging establishments, authority, Title 50, chapter 51, part 2
Immunization requirements, duties, Title 20, chapter 5, part 4
Infants
  administration of services, 52-2-111
  genetics program, 50-19-211
  maternal child health programs, 50-1-202
  metabolic tests, Title 50, chapter 19, part 2
  mortality and morbidity information to, 37-27-320, 50-16-102
Infectious waste management, duties, Title 75, chapter 10, part 10
Information to department, on request, 50-16-101, See also **DISEASES, Report requirements**
Injunction by, 50-1-103, 52-3-605
Inspection authority, 50-1-202, 50-1-203, See also specific main category for type of establishment
  joint inspections with other agencies, 50-8-101, 50-8-102, 50-8-105
Ionizing radiation, duties, Title 75, chapter 3
Laboratory services, 50-1-202
Law enforcement officers, assistance by, 50-2-120
Legal adviser to, 50-1-102
Licensing of facilities, one-step licensing required, 50-8-101, 50-8-102
Livestock, Department of — cooperation with, 81-2-106
Living will protocol, development, 50-9-102, 50-9-110
Local boards of health
  consultation, 50-1-202
  federal funds, acceptance for, 50-2-103
  local board inspection fund account, 50-2-108, 50-50-205, 50-50-305, 50-51-204, 50-51-303, 50-52-202, 50-52-302, 50-53-203
Local health officers, appointment and duties, 50-2-116 — 50-2-118
Long-term care facilities, enforcement of ombudsman's access to facility provisions, 52-3-605
Major Facility Siting Act, duties, Title 75, chapter 20
Manicuring, sanitary rules regarding, 37-31-331
Marriage, duties respecting, Title 40, chapter 1, part 2
Maternal and child health programs, authority, 50-1-202, 50-19-211; Title 50, chapter 19, part 3
Mattresses, shoddy control, Title 50, chapter 36, part 1
Meat establishment licensing provisions, exceptions, 81-9-202
Meat inspector, chief — consultations, 81-9-233
Medicaid, certification of health care facilities, 53-6-106 — 53-6-108
Medical record information, 50-5-106, 50-16-101, 50-70-107, 50-70-109; Title 50, chapter 16, part 6
Medical schools, statements concerning use of dead bodies, 50-21-102
Megalandfill siting, duties, Title 75, chapter 10, part 9

HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT... (Continued)

Metabolic testing of newborns, Title 50, chapter 19, part 2
MIAMI project, Title 50, chapter 19, part 3
MIAMI Project Advisory Council, representation on, 2-15-2109
Minors
  day-care facilities and programs, duties, 52-2-704, 52-2-731, 52-2-733, 52-2-735
  infants, See **Infants**
  services, multiagency, 52-2-201 — 52-2-203
Mobile homes and mobile home parks, authority, Title 50, chapter 52
Montana Initiative for the Abatement of Mortality in Infants (MIAMI) **Act**, Title 50, chapter 19, part 3
Mosquito control districts, duties, Title 7, chapter 22, part 24
Motels, authority, Title 50, chapter 51, part 2
Motor vehicle graveyards and wrecking facilities, duties, Title 75, chapter 10, part 5
Natural Resource Data System Advisory Committee, employee appointed to, 2-15-1514
Natural resource information system data source agency, 90-15-102
Nuclear regulation, duties, Title 75, chapter 3
Nursing facility utilization fee, 15-60-101, 15-60-201
Nutrition services and food programs, 2-15-2210; Title 50, chapter 49, part 1
Occupational disease and safety, preventive authority, Title 39, chapter 72
Occupational Health Act, Title 50, chapter 70
One-step licensing of facilities required, 50-8-101, 50-8-102
Paternity, Title 40, chapter 6, part 1, See **PARENT AND CHILD**
Peace officers, assistance by, 50-2-120
Penalty for violations of rules of, 50-1-104
Personal care facilities, authority, Title 50, chapter 5, part 2
Pesticide registration, Title 80, chapter 8
Petroleum storage tank releases, duties, Title 75, chapter 11, part 3
Phosphorus compounds, model rule on sale and distribution, Title 75, chapter 7, part 4
Plumbers, Board of — representation on, 2-15-1875
Powers and duties generally, 50-1-202
Product safety, authority, Title 50, chapter 30, part 3
Public assistance buildings, standards prescribed by, 53-2-322
Public buildings, authority, 50-1-202
Public health nutritionist, appointment, 50-49-107
Public water supplies, duties, Title 75, chapter 6
Quarantine authority, 50-1-204, 50-2-118
Rabies in wild animals, control, Title 50, chapter 23
Radiation control agency, department as, 75-3-201
Radiation control, duties, Title 75, chapter 3
Radiologic technologists, inspections for compliance with provisions, 37-14-322
Radon control, Title 75, chapter 3, part 6, See **RADIOACTIVE SUBSTANCES**
Records and Statistics Bureau, procedures respecting paternity claims, 40-6-126, 40-6-128
Recreational use of lands and waters, adoption of rules for, 87-1-303
Rulemaking authority generally, 50-1-104, 50-1-202, 81-21-103
Sanitary standards for subdivisions, duties, Title 76, chapter 4
Schools
  health education, 50-1-202
  immunization requirements, Title 20, chapter 5, part 4
  inspections, 50-1-203
  regulation of health matters, 50-1-206
  sites, requirements, 20-6-621
Senior citizens — report of abuse, neglect, or exploitation to, 52-3-811, 52-3-815
Serological tests, authority, See **Blood tests**
Sexually transmitted disease control, duties, Title 50, chapter 18

HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT... (Continued)

Small business stationary source technical and environmental compliance assistance program, 75-2-107
Smoking in public areas, authority, 50-40-108
Social services buildings, standards prescribed by, 53-2-322
Solid Waste Management Act, Title 75, chapter 10, part 2
Solid wastes, agreements concerning, 80-8-110
Special education, children requiring — cooperation in discovering, 20-7-404
State health plan, See **HEALTH CARE FACILITIES, State medical facility plan; HEALTH CARE, STATEWIDE UNIVERSAL ACCESS**
State medical facility plan, Title 50, chapter 5, part 4
Subdivisions, duties concerning, Title 76, chapter 4
Superintendent of public instruction, cooperation with, 20-7-404
Supervision, Const., VI, 8
Swimming pools and swimming areas, authority, Title 50, chapter 53, part 2
Timber sales, onsite consultations — representation, 76-13-132
Trailers and trailer parks, authority, Title 50, chapter 52
Tuberculosis control, duties, Title 50, chapter 17
Underground storage tanks and installers, duties, Title 75, chapter 11, part 2
University system
  drug and alcohol abuse courses, advice and consultation when, 20-25-604
  inspection and custodial authority, 50-1-202
Vessel pumpout facilities, rules, 23-2-522
Violations, enforcement generally, 50-1-103, 50-1-104, 50-1-202, 50-2-123, 50-2-124
Vital statistics, authority, Title 50, chapter 15
Water and Wastewater Operators' Advisory Council, 2-15-2105, 37-42-102, 37-42-201, 37-42-203
Water conservancy districts, authority, 85-9-104, 85-9-202, 85-9-204
Water, ground water
  agricultural chemical ground water protection, Title 80, chapter 15
  investigations, 85-2-512, 85-2-514
Water Pollution Control Advisory Council, 2-15-2107; Title 75, chapter 5, part 1
Water pollution control equipment, determination of use for tax purposes, 15-6-135
Water quality control, responsibilities, Title 75, chapter 5
Water treatment plants
  distribution systems, duties, Title 75, chapter 6
  operators, certification, Title 37, chapter 42
Women, infants and children (WIC) food supplement program, plan for providing services, 50-49-108
Workplace, health and safety regulatory authority, Title 50, chapter 70, part 1

HEALTH CARE AUTHORITY, Title 50, chapter 4
  See **HEALTH CARE, STATEWIDE UNIVERSAL ACCESS**

HEALTH CARE FACILITIES
Abortion, right of refusal, 50-20-111, See also **ABORTION**
Access plan, statewide universal, Title 50, chapter 4, See **HEALTH CARE, STATEWIDE UNIVERSAL ACCESS**
Accreditation, 50-5-101, 50-5-103, 50-5-308
Acquisition, certificate of need required, 50-5-301, See also **Certificate of need**
Advertising
  "nursing", unlawful use of word, 50-5-107
  state medical facility plans, 50-5-407
Administrative enforcement, 50-5-114
AIDS
  exposure of personnel, 50-16-702, 50-16-711, 50-16-1007
  persons with, discrimination prohibited, 50-5-105

HEALTH CARE FACILITIES (Continued)
AIDS (Continued)

  testing and counseling, 50-16-1003, 50-16-1007, See also **DISEASES**, **AIDS (acquired immunodeficiency syndrome)**
Alcoholic beverages, allowances and restrictions, 16-1-204, 16-6-309
Alcoholism treatment, insurance coverage, See **INSURANCE, DISABILITY**, **Mental illness, alcoholism, and drug addiction — coverage for**
Alteration of facility, See **Construction, alteration, or expansion**
Ambulances, Title 50, chapter 6, See **EMERGENCY MEDICAL SERVICES**
Anatomical gifts
  document of gift
    deposited with, 72-17-208
    search for, 72-17-213
  donee
    notification to, 72-17-213
    who may be, 72-17-202
  donor, search for identification, 72-17-213
  good faith provision, 72-17-207
  implementation, cooperation, 72-17-213
  nonliability, 72-17-207
  procurement and use, coordination, 72-17-108
  request for, 50-5-212, 72-17-213, 72-17-215
Animal and research facilities protection, Title 81, chapter 30, part 1
Annual report to Department of Health and Environmental Sciences, 50-5-106
Autopsies, See also **FORENSIC SCIENCE**
  conducted at facility, 46-4-103
  reports and records, 50-21-104
  requested when, 50-21-103
Battered spouses programs for hospital personnel, 52-6-104
Bequests, acceptance by hospitals, 7-8-103
Blood or blood products, liability, 50-33-101 — 50-33-104
Boarding homes, county, See **County operation**, boarding and nursing homes; See also generally this main category; **NURSING HOMES**
Bonds to fund, Title 17, chapter 5, part 15; Title 90, chapter 7
Bones, furnishing declared service, 50-33-102
Building, See **Construction, alteration, or expansion**
Calcium-EAP, prescribing or administering, 50-43-104, 50-43-105
Capital expenditures, certificate of need for, 50-5-101, 50-5-301, 50-5-308, See also **Certificate of need**
Certificate of need
  application, 50-5-302
  batching, 50-5-101, 50-5-302
  criteria for issuance, 50-5-304
  decision, 50-5-302, 50-5-305, 50-5-306
  definitions, 50-5-101
  exceptions, 50-5-301
  expiration and extension, 50-5-305
  fees, 50-5-310
  health maintenance organizations, 33-31-111, 33-31-203, 33-31-221
  hearings, 50-5-302, 50-5-305, 50-5-306
  injunction of violations, 50-5-108, 50-5-307
  issuance, 50-5-302, 50-5-308, 50-5-316
  letters of intent, 50-5-301, 50-5-302
  licensing provisions, applicability, 50-5-207
  penalties, 50-5-307
  public record, 50-5-106
  reconsideration of application, 50-5-305, 50-5-306, 50-5-310

HEALTH CARE FACILITIES (Continued)
Certificate of need (Continued)
    required, 50-5-301
    review of application, 50-5-302, 50-5-304, 50-5-309
    review of process, 50-4-311
    rulemaking authority, 50-5-103, 50-5-104, 50-5-301, 50-5-302, 50-5-304, 50-5-306
    term, 50-5-305
    violations, 50-5-305, 50-5-307
Chemical dependency facilities, 50-5-101, See also **CHEMICAL DEPENDENCY, Treatment facilities**
Child abuse and neglect
    investigations, access to records, 41-3-202, 41-3-203
    reporting of, 41-3-201, 41-3-203 — 41-3-207
Civil defense, See **EMERGENCIES AND EMERGENCY POWERS**, generally
Closure of facility when, 53-6-107
Communicable disease hospital, 7-34-4101, 50-2-118
Community service corps program, Title 90, chapter 14, part 1
Construction, alteration, or expansion, 50-5-101
    approval by department, 50-5-201, 50-5-301
    certificate of need required, 50-5-201, 50-5-301
    development projects, See **HEALTH FACILITY AUTHORITY; INDUSTRIES AND INDUSTRIAL DEVELOPMENT, Development projects**
    federal aid, See **State medical facility plan**
    federal requirements, compliance, 50-5-103
    health facility authority, funding through, See **HEALTH FACILITY AUTHORITY,** generally
    injunction of violations, 50-5-108
    inspection of state facility, 50-5-404
    letters of intent, 50-5-301, 50-5-302, See **Certificate of need**
    report on project progress, 50-5-305
    state plan, 50-5-402, See **State medical facility plan**
    state requirements, compliance, 50-5-103
    technical services, 90-7-202
Conveyance by Health Facility Authority, 90-7-214, 90-7-307, See also **HEALTH FACILITY AUTHORITY**, generally
Cooperative agreements, allowed, 50-4-102, 50-4-601, 50-4-602, See also **HEALTH CARE, STATEWIDE UNIVERSAL ACCESS, Cooperative agreements**
Corridors
    doors, applicability of building codes, 50-60-205, 50-60-301
    smoking prohibited, 50-40-106
Counselors, professional — work experience requirement, 37-23-202
County operation
    bond issues
        applicability of laws, 7-34-2412, 50-5-411
        authorization, 7-34-2411, 7-34-2412
        election required, 7-34-2414
        leases, receipts from and termination date, 7-34-2204
        limitations, 7-34-2413
        payable, how, 7-34-2415, 7-34-2417
        sale, 7-34-2415
        tax-exempt status, 7-34-2416
        tax levy, 7-34-2417, 7-34-2418
    buildings, 7-34-2201
    commission, 7-8-2103, 7-34-2202
    construction and operation, 7-34-2301
    county property, lease, 7-34-2204, 7-34-2303

HEALTH CARE FACILITIES (Continued)
County operation (Continued)

- depletion allowance reserve fund
  - accumulation, 7-34-2403
  - authorization, 7-34-2401
  - investment, 7-34-2404
  - sources of money, 7-34-2402, 7-34-2404
- erection and maintenance, 7-8-2102, 7-8-2103, 7-34-2201
- expenses as county charge, 7-6-2426
- federal aid, 50-5-411
- fees
  - nonindigent sick, for, 7-34-2203
  - services, for, 7-34-2411
- grants, 7-34-2402, 7-34-2411
- improvements, mandated — financing, 7-34-2303
- indigents
  - optional public assistance programs, 53-2-802, 53-2-804
  - sick, 7-6-2426, 7-34-2203, 7-34-2302, 7-34-2402
- multicounty, 7-34-2501
  - authorization, 7-34-2502
  - contracts for, 7-34-2503
  - costs, division among counties, 7-34-2504
  - federal funds, applications for, 50-5-411
- revenues, 7-34-2411, 7-34-2413, 7-34-2415, 7-34-2417, 7-34-2418
- tax levy for, 7-6-2512, 7-34-2411, 7-34-2417, 7-34-2418

Crippled children's hospitals, inheritance tax exemptions, 72-16-312
Day-care center, adult — defined, 50-5-101
Dead on arrival or death following admission, inquiry by coroner, 46-4-122
Definitions, 50-5-101, 53-6-106
Dental hygienists, practice in, 37-4-405
Designated officer, infectious disease — tracking and notification requirements, 50-16-711
Detention center inmates, in, 7-32-2222, 50-2-121
Detention hospitals, 7-34-4101, 50-2-118
Detoxification services, 53-24-108, See **CHEMICAL DEPENDENCY**, generally
Developmentally disabled persons — report of abuse, neglect, or exploitation required, 52-3-811, See **DEVELOPMENTALLY DISABLED PERSONS, Abuse, neglect, or exploitation**
Development projects, See **INDUSTRIES AND INDUSTRIAL DEVELOPMENT, Development projects**
Devises, acceptance by hospitals, 7-8-103
Directory information, 50-16-504, 50-16-530, See also **HEALTH CARE INFORMATION**
Disasters, See **EMERGENCIES AND EMERGENCY POWERS, Medical services**
Discrimination prohibited, 7-34-2123, 50-5-105, See also **DISCRIMINATION, Public accommodations**

- abortion, refusal to participate — no cause of action, 50-20-111
- sterilization, refusal to participate — no cause of action, 50-5-502, 50-5-503

DMSO, use, 50-42-103, 50-42-104, See **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Dimethyl sulfoxide**
Domestic violence programs for hospital personnel, 52-6-104
Do not resuscitate provisions, 50-10-101 — 50-10-103
Doors, applicability of building codes, 50-60-205, 50-60-301
Drug addiction treatment, insurance coverage, See **INSURANCE, DISABILITY, Mental illness, alcoholism, and drug addiction — coverage for**
Drug distribution, wholesale — exception, 37-7-602
Drugs, inpatients — drug utilization review, nonapplicability, 37-7-406
Elderly persons — report of abuse, neglect, or exploitation required, 52-3-811, See also **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**

HEALTH CARE FACILITIES (Continued)

Elections, absentee ballot — delivery to person because of illness or health emergency, 13-13-212
Emergencies and emergency powers, Title 50, chapter 6, See **EMERGENCY MEDICAL SERVICES**
Enforcement authority, 50-5-114
Estates, claims against — priority, 72-3-807
  small estates, 72-3-1103, 72-3-1104
Exemptions from provisions, 50-5-104
Expansion of facility, See **Construction, alteration, or expansion**
Faith healing institutions, exemption from provisions, 50-5-104
Family practice training program, 50-5-601 — 50-5-603, 50-5-611, See **PHYSICIANS AND SURGEONS**
Federal aid, See **State medical facility plan**
Financial insufficiency or mismanagement, 50-5-207
Financing through Health Facility Authority bonds, Title 90, chapter 7, See **HEALTH FACILITY AUTHORITY**
Fines for violations, 50-5-113, 53-6-108
Fire protection and safety regulations, 50-5-103, 50-61-103, 53-6-106, See **FIRES AND FIRE PROTECTION**
Fireworks, sale — proximity restricted, 50-37-103
Food and nutrition standards, 53-6-106
Good faith, reporting obligations concerning limitations on practice by physicians, 37-3-404
Grants for facilities
  acceptance by department of health and environmental sciences, 50-5-404
  acceptance by hospitals, 7-8-103
  patient protection account, for, 50-5-232
Harnosal, prescribing or administering, 50-43-104, 50-43-105
Hazardous chemical information, 50-78-103
Hazardous waste management, Title 75, chapter 10, part 10, See **HAZARDOUS WASTES, Infectious waste management**
Health Care Information Act, Uniform, Title 50, chapter 16, part 5, See **HEALTH CARE INFORMATION, Health care facilities**
Health care authority, Title 50, chapter 4, See **HEALTH CARE, STATEWIDE UNIVERSAL ACCESS**
Health Facility Authority, Title 90, chapter 7, See **HEALTH FACILITY AUTHORITY**
Health maintenance organizations
  acquisition, 33-31-221
  certificate of need requirements, 33-31-111, 33-31-203, 33-31-221
  providers, health care facilities as, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
Health service corporations, See **HEALTH SERVICE CORPORATIONS**
HIV or HIV-related condition
  exposure of personnel, 50-16-702, 50-16-711, 50-16-1007
  persons with, discrimination prohibited, 50-5-105
  testing and counseling, 50-16-1003, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Home health care, Title 33, chapter 22, part 10, See **HOME HEALTH CARE**
Hospices, 50-5-101
  home health care services, insurance coverage, 33-22-1001, See also **HOME HEALTH CARE**
  hospital programs, separate licensing exemption, 50-5-211
  licensing, 50-5-210, 50-5-211
  living wills, form of reliable documentation adopted by, 50-9-102
  medicaid, 53-6-101, See **PUBLIC ASSISTANCE**
  older Montanans, services for, 52-3-504

HEALTH CARE FACILITIES (Continued)
Hospices (Continued)

  rulemaking authority, 50-5-210
Hospital districts, Title 7, chapter 34, part 21, See **HOSPITAL DISTRICTS**
Industrial development projects, See **INDUSTRIES AND INDUSTRIAL DEVELOPMENT, Development projects**
Infant mortality and morbidity information, 50-16-102
Infectious disease, exposure to — tracking, 50-16-711
Infectious waste management, Title 75, chapter 10, part 10, See **HAZARDOUS WASTES**
Injunction of violations, 50-5-108
  certificate of need violations, 50-5-307
  prohibited activities, 50-5-111
Inspections of facility
  federal funding, for, 50-5-404
  license issuance or renewal, for, 50-5-103, 50-5-116, 50-5-204, 50-5-207
  waiver, 50-5-103
Insurance
  drug addiction treatment, See **INSURANCE, DISABILITY, Mental illness, alcoholism, and drug addiction — coverage for**
  health service corporations, See **HEALTH SERVICE CORPORATIONS**
  home health care, 33-1-208, 33-22-1001 — 33-22-1003, See **INSURANCE, DISABILITY**
  information and privacy protection, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
  professional liability, See **INSURANCE, CASUALTY**
  workers' compensation, See **WORKERS' COMPENSATION**
Laboratories
  "clinical laboratory" defined, 50-5-101
  confidentiality of tests and reports, penalty for violation, 40-1-208
  health care information, See **HEALTH CARE INFORMATION**
  premarital examinations, 40-1-206, 40-1-208
  tumors, reports concerning, 50-15-703
Laetrile, use, 50-41-103, 50-41-104, See also **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**
Law enforcement officers, disclosure of general information regarding patient's condition, 50-16-530
Lease of facility
  health facility authority, from, 90-7-214, See also **HEALTH FACILITY AUTHORITY**
  health maintenance organizations, by, 33-31-221
Liability
  blood or blood products, services relating to, 50-33-103, 50-33-104
  calcium-EAP, harnosal, and phosetamin — administering, immunity, 50-43-105
  child abuse and neglect, reporting of, 41-3-203
  midwives' patients, emergency care of, 27-1-734, 37-27-311
  minors, in treatment of, 41-1-407
  professional, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, MEDICAL**
  tissue banks, 50-33-104
Licensing
  appeal, 50-5-208
  application, 50-5-203, 50-5-1107
  certificate of need, effect, 50-5-207, See also **Certificate of need**
  compliance, 50-5-108, 50-5-207
  discrimination in issuance prohibited, 49-3-204
  display, 50-5-201
  expiration, 50-5-201, 50-5-204
  fees, 50-5-202
  hearings, 50-5-208

HEALTH CARE FACILITIES (Continued)
Licensing (Continued)

- injunction, 50-5-108
- inspection prerequisite, 50-5-103, 50-5-204
- issuance, 49-3-204, 50-5-201, 50-5-204
- long-term care residents' rights, consideration in issuance, 50-5-1107
- nontransferable, 50-5-201
- notices, 50-5-208
- one-step licensing required, 50-8-101, 50-8-102
- operation without, prohibited, 50-5-111
- provisional license, 50-5-204, 50-5-207
- renewal, 50-5-201, 50-5-204
- required, 50-5-201
- revocation or suspension, 50-5-207, 50-5-208
- rulemaking authority, 50-5-103, 50-5-104
- term of validity, 50-5-201, 50-5-204
- violations, See **Violations**

Lien for services, Title 71, chapter 3, part 11
Living will provisions
- immunities, 50-9-204
- transfer of patients when, 50-9-105, 50-9-203

Lodging facility use tax, nonapplicability, 15-65-101
Major medical equipment, certificate of need required, 50-5-101, 50-5-301, 50-5-302, See also **Certificate of need**
Malpractice, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, MEDICAL**
Medicaid
- payments, See **PUBLIC ASSISTANCE, Medicaid**
- standards for certification, 53-6-106
  - sanctions, penalties, or fines, 53-6-107, 53-6-108

"Medical assistance facility" defined, 50-5-101, 50-5-301
Medical records, See **Records and reports; HEALTH CARE INFORMATION**
Mentally ill persons
- detention in prior to commitment, 53-21-120, See also **MENTAL ILLNESS OR INCAPACITY, Mental health facilities; Montana State Hospital**
- insurance coverage, See **INSURANCE, DISABILITY, Mental illness, alcoholism, and drug addiction — coverage for**
- jail inmates, transfer to, 53-21-138
- minors, treatment, See **Minors**

Midwives, direct-entry
- emergency care of patients by hospital, liability, 27-1-734, 37-27-311
- practical experience, 37-27-201

Minimum standards for operation, See **Standards for operation**
Minors
- child abuse and neglect
  - investigations, access to records, 41-3-202, 41-3-203
  - reporting of, 41-3-201, 41-3-203 — 41-3-207
- consent for health services, 41-1-402
- disabilities, with — special education, Title 20, chapter 7, part 4, See **SCHOOLS, Special education**
- emergency situations, 41-1-405
- financial responsibility, 41-1-403, 41-1-404
- information released when, 41-1-403
- psychiatric hospital, special education for children placed in, 20-7-403, 20-7-419, 20-7-420, 20-7-435, 20-7-436
- treatment of, immunity and responsibility, 41-1-407

Mistreatment of patients, 50-5-207, 52-3-811

HEALTH CARE FACILITIES (Continued)

Montana State Hospital, See **MONTANA STATE HOSPITAL**
Morgue facilities in hospitals, 46-4-103
Motor vehicles, gross vehicle weight fee exemption, 61-10-214
Municipal detention hospitals, 7-34-4101
Negligence
  blood or blood products, services relating to, 50-33-103, 50-33-104
  midwives' patients, emergency services to — liability, 27-1-734, 37-27-311
  minors, in treatment of, 41-1-407
  tissue banks, 50-33-104
Nursing homes, county, See **County operation**; **NURSING HOMES**
"Nursing", unlawful use of word, 50-5-107
Nutrition
  and food standards, 53-6-106
  services, exemption from licensing requirements when, 37-25-304
Occupational disease benefits, 39-72-704
One-step licensing of facilities required, 50-8-101, 50-8-102
Oral surgeons, patient histories and physical examinations when, 37-4-515
Organ donations, See **Anatomical gifts**
Organ procurement program, 50-5-212
Organs, furnishing declared service, 50-33-102
Osteopaths, staff membership or privileges, 50-5-105
Overtime compensation exclusions for employees, 39-3-406
Parole of incarcerated persons, medical — placement, 46-23-210
Paternity acknowledgment process at birth, 50-15-210, See also **PARENT AND CHILD**
Patient protection account, 50-5-232
  deposits, 50-5-112, 50-5-113
  receivers, payment, 50-5-115
Patients, See also this main category generally; **HEALTH CARE INFORMATION**
  care planning, 53-6-106
  drug regimen, physician review, 53-21-145
  mistreatment, 50-5-207, 52-3-811
  oral surgeons, histories and physical examinations by — when, 37-4-515
  relocation to other facilities, 53-6-107, 53-6-108
  transportation, free or reduced rates, 69-11-208
Payment for services
  county liability, 53-2-610
  crime victims reparation benefits, 53-9-128
  lien for, Title 71, chapter 3, part 11
  medicaid, See **PUBLIC ASSISTANCE**
  minors, 41-1-403, 41-1-404
  occupational disease benefits, 39-72-704
  workers' compensation, See **WORKERS' COMPENSATION, Benefits**, hospital expenses
Peer review, See **HEALTH CARE INFORMATION, Hospital medical staff committees**
Penalties, See **Violations**
Personal care facilities, See **PERSONAL CARE FACILITIES**
Phosetamin, prescribing or administering, 50-43-104, 50-43-105
Physical therapist licensees, list distributed to hospitals, 37-11-201
Physician-patient relationship, no interference, 50-5-105, 50-43-104
Physicians
  drug regimen of patients, review, 53-21-145
  practice of medicine
    partner, agent, or employee of facility or in joint venture, 37-3-322
    prohibitions or limitations on, reporting, 37-3-403
Podiatrists, staff membership or privileges, 50-5-105
Postattack emergency regulation, 10-3-505

HEALTH CARE FACILITIES (Continued)

Preferred providers, staff privileges not required as criteria for, 33-22-1705
Prohibited activities, 50-5-111 — 50-5-113, See **Violations**
Professional liability, See **INSURANCE, CASUALTY; MALPRACTICE, MEDICAL**
Property, authority for acceptance by hospitals, 7-8-103
Public assistance recipients, See **PUBLIC ASSISTANCE, Medical care**
Purchase of supplies, price discrimination provisions — nonapplicability, 30-14-902
Records and reports
  abuse, neglect, or exploitation, 52-3-811
  AIDS testing, consent, 50-16-1003, 50-16-1007
  autopsies, 50-21-104
  child abuse and neglect investigations, access for, 41-3-202, 41-3-203
  chiropractors, board of — examination by, 37-12-322
  chiropractors, of — examination and release when, 37-12-322
  confidentiality, See generally **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS; HEALTH CARE INFORMATION**
  destruction or falsification prohibited, 50-5-111, 50-5-113
  federal agencies, reports to, 50-5-404
  health and environmental sciences, department of — reports to, 50-5-106, 50-16-101, 52-3-811
  hospital medical staff committee access, See **HEALTH CARE INFORMATION**
  infectious disease, tracking, 50-16-711
  information and privacy protection, See **INSURANCE, Information and privacy protection**
  inspection, 50-5-116, 50-5-204
  medical examiners, board of — examination by, 37-3-323, 37-6-311
  optometric oversight committee, examination by, 37-10-204
  podiatrists, of — examination and release when, 37-6-311
Remodeling, See **Construction, alteration, or expansion**
Renal disease treatment program, supervision, 50-44-102
Research and farm animal facilities protection, Title 81, chapter 30, part 1
Respiratory care practitioners, Title 37, chapter 28
Rulemaking authority, 50-5-103, 50-5-104, 50-5-114, 50-5-302, 50-5-304, 50-5-306
  inspections or licensing of facilities, 50-8-102, 50-8-105
Sanitation standards, 53-6-106
Senior citizens — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Smoking regulations, 50-40-106, 50-40-108, 50-40-204, See **PUBLIC ACCOMMODATIONS, Smoking areas**
Spiritual healing institutions, exemption from provisions, 50-5-104
Staff insufficiency, 50-5-207, 53-6-106
Staff privileges not required as preferred provider criteria, 33-22-1705
Standards for operation, 50-5-103, 50-5-104
  federal aid, for, See **State medical facility plan**
  licensing criteria, 50-5-207
  medicaid certification, 53-6-106 — 53-6-108
State medical facility plan
  administration, 50-5-402
  application for federal funds for construction projects, 50-5-408
    consolidated application, 50-5-411
    denial, 50-5-409
    transmittal to federal agencies, 50-5-410
  application for federal funds for planning activities, 50-5-404
  approval, 50-5-101
  certificate of need considerations, 50-5-304, 50-5-308
  citation, 50-5-402

HEALTH CARE FACILITIES (Continued)
State medical facility plan (Continued)

- consolidated applications, 50-5-411
- establishment, 50-5-402
- federal agencies, contracts and agreements with, 50-5-405
- federal funds
  - acceptance, 50-5-406
  - construction, application for, 50-5-408 — 50-5-411
  - planning activities, for, 50-5-404
- federal regulations, compliance, 50-5-404
- hearings, 50-5-407, 50-5-409
- injunction, 50-5-108
- notice, 50-5-404, 50-5-407
- priorities, 50-5-403
- purpose of provisions, 50-5-403
- rulemaking authority, 50-5-103
- scope of plan, 50-5-404
- "state health plan" defined, 50-5-101

Statewide health coordinating council, 50-5-101
Sterilization procedures, 50-5-501 — 50-5-505, See **STERILIZATION**
Tax exemption for nonprofit facilities, 15-6-201; Const., VIII, 5
Temporary management personnel, appointment when, 53-6-107
Tissue banks, liability, 50-33-104
Tissues, furnishing declared service, 50-33-102
Tuberculosis patients, Title 50, chapter 17, See **DISEASES**, **Tuberculosis**
Tumor registration, Title 50, chapter 15, part 7, See **VITAL STATISTICS**
Unemployment insurance coverage, 39-51-204, 39-51-2108, See also **UNEMPLOYMENT INSURANCE**, generally
Unfair labor practices, nurses, 39-32-109
Uniform Health Care Information Act, Title 50, chapter 16, part 5, See **HEALTH CARE INFORMATION**
Universal statewide access plan, Title 50, chapter 4, See **HEALTH CARE, STATEWIDE UNIVERSAL ACCESS**
University system, 20-25-302
Utilization reviews, Title 33, chapter 32, See **INSURANCE, DISABILITY**
Violations

- certificate of need violations, 50-5-307
- corrective action, notice and order for, 50-5-113
- child abuse and neglect, failure to report, 41-3-207
- injunction, 50-5-108, 50-5-307
- license — denial, suspension, or revocation, 50-5-207
- medicaid certification standards, 53-6-107, 53-6-108
- "nursing", unlawful use of word, 50-5-107
- penalties, 50-5-112, 50-5-113
- prohibited activities, 50-5-111

Vocational rehabilitation, physical restoration, 53-7-101, 53-7-301, See **BLIND OR VISUALLY DISABLED PERSONS; PUBLIC ASSISTANCE**
Warm Springs facility of Montana State Hospital, See **MENTAL ILLNESS OR INCAPACITY**
Waste management, Title 75, chapter 10, part 10, See **HAZARDOUS WASTES, Infectious waste management**
Welfare recipients, See **PUBLIC ASSISTANCE, Medical care**
Workers' compensation, See **WORKERS' COMPENSATION, Hospitals**

HEALTH CARE INFORMATION
Abortion reports and documents, 50-20-110

HEALTH CARE INFORMATION (Continued)

Access to
  blood alcohol test results, 61-8-405
  child abuse and neglect investigations, 41-3-202, 41-3-203
  developmentally disabled persons' records, 53-20-161
  emancipated minors, 41-3-408
  hospital medical staff committees, 50-16-202
  optometric oversight committee, 37-10-204
  patients, 50-16-502, 50-16-526, 50-16-541, 50-16-542, 50-16-553
Actions
  attorney fees, 50-16-553
  enforcement, for, 50-16-552
  infant mortality and morbidity, disclosure — action barred, 50-16-102
  providers, against
    action barred when, 50-16-528
    immunity pursuant to written authorization, 50-16-531
  statute of limitation, 50-16-553
AIDS test results or identity of subject, disclosure, 50-16-529, 50-16-1003, 50-16-1007, 50-16-1009, 50-16-1013
Alcoholic beverages, blood alcohol test results, 61-8-405
Alcoholism treatment facilities, 53-24-306
Anatomical gift requests and dispositions, 72-17-213, 72-17-215
Application of provisions, 50-16-503
Artificial insemination, 40-6-106
Attorney fees, 50-16-553
Autopsies, 50-21-104
Blood alcohol test results, 61-8-405
Bribery, 50-16-551
Cardiopulmonary resuscitation, do not resuscitate order, 50-10-101
Chemical dependency treatment facilities, 53-24-306
Child abuse and neglect investigations, access to information, 41-3-202, 41-3-203, 41-3-205, 41-3-208, 41-3-303, 50-16-603
Child custody proceedings, 40-4-215
Chiropractic Legal Panel review proceedings, 27-12-302, 27-12-306
Citations
  government health care information act, 50-16-601
  uniform health care information act, 50-16-501
City or town records, 7-1-4144
Civil proceedings
  compulsory process or discovery requests, 50-16-535, 50-16-536
  enforcement, for, 50-16-552
  health care provider, immunity pursuant to written authorization, 50-16-531
Commitment proceedings, disclosure for, 50-16-535
Communicable diseases, disclosures concerning, 50-16-603
Compulsory process or discovery, See also **CIVIL PROCEDURE, Discovery**
  copy and certification as permanent part of health care information, 50-16-536
  denial of access to information, 50-16-536
  health maintenance organizations, 33-31-113
  information available by, when, 50-16-530, 50-16-535
  requests, notice and certification, 50-16-536
    falsification of certification, 50-16-551
  subpoenas, investigative, 50-16-535
Confidentiality, See this main category generally; **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS**
Consent for disclosure
  authorization as, See **Disclosures**, authorization by patient

HEALTH CARE INFORMATION (Continued)
Consent for disclosure (Continued)

- blood alcohol test results, 61-8-405
- compulsory process or discovery request, in response to, 50-16-535
- developmentally disabled persons' records, 53-20-161
- infant mortality and morbidity information, 50-16-102
- midwives, direct-entry — clients, 37-27-310

Construction of provisions, 50-16-503
Consumer reporting agencies, nondisclosure, 31-3-102, 31-3-122
Copying, See **Examination and copying**
Correction or amendment

- disagreement, statement of, 50-16-543 — 50-16-545
- dissemination, 50-16-543, 50-16-545
- fee, 50-16-545
- procedure, 50-16-544
- refusal, 50-16-543, 50-16-544
- requests for, 50-16-543
- retention of records during pendency of request, 50-16-513

County attorney, access to, 41-3-202, 41-3-203, 41-3-205
Court order for disclosure, 50-16-536
CPR, do not resuscitate order, 50-10-101
Crime victims compensation claimants or victims, reports and records, 53-9-104, 53-9-107, 53-9-123, 53-9-124
Criminal penalty, 50-5-106, 50-16-551
Custodial institution officials, disclosure to, 50-16-529
Damages, 50-16-553

- action barred, 50-16-102

Data banks, 50-16-502
Data base, 50-4-502
Deceased individuals, See **Patients**
Definitions, 50-16-201, 50-16-504, 50-16-602
Denturists, patient records, 37-29-401
Developmentally disabled persons' records, 53-20-161

- medication, notations kept in, 53-20-145

Directory information, 50-16-504, 50-16-530
Disclosures

- abortion information, 50-20-110
- AIDS test results or identity of subject, 50-16-529, 50-16-1003, 50-16-1007, 50-16-1009, 50-16-1013
- authorization by minor, 41-3-408, 50-16-521, 50-19-107
- authorization by parent or guardian of minor patient, 50-16-542
- authorization by patient, 7-1-4144, 50-5-106, 50-16-526, 50-16-603, 50-16-605, 50-19-107
  - blood alcohol test results, 61-8-405
  - conformance, 50-16-525
  - disclosure without, 50-16-529, 50-16-530
  - falsification, 50-16-551
  - form required, 50-16-531
  - required, 50-5-106, 50-16-525
  - retention, 50-16-513, 50-16-527
  - revocation, 50-16-527, 50-16-528
  - signing not waiver of rights, 50-16-526
  - validity, 50-16-526, 50-16-527
- birth out of wedlock, prohibited, 50-16-542
- chemical dependency treatment facility information, 53-24-306
- child abuse and neglect investigations, for, 41-3-202, 41-3-203, 41-3-205, 41-3-208, 41-3-303, 50-16-603
- chiropractic legal panel review proceedings, 27-12-302, 27-12-306

HEALTH CARE INFORMATION (Continued)
Disclosures (Continued)

- city or town records, 7-1-4144
- commitment proceedings, for, 50-16-535
- communicable diseases, concerning, 50-16-602, 50-16-603
- compulsory process or discovery, 50-16-530, 50-16-535, 50-16-536
- consumer reporting agencies, nondisclosure, 31-3-102, 31-3-122
- court order for, 50-16-536
- crime control, division of
  - records, 53-9-107
  - requests for information, 50-16-530, 53-9-104
- crime victims compensation claimants or victims, records, 53-9-104, 53-9-107
- custodial institution officials, to, 50-16-529
- developmentally disabled persons' records, 53-20-161
- disease prevention or control, for, 50-16-603
- emergency medical services, for, 50-16-603
- health authorities, to, 50-16-530
- health care data base, 50-4-502
- health care providers, by
  - compulsory process or discovery, by — when, 50-16-530, 50-16-535, 50-16-536
    - liability for disclosures made in reliance on, 50-16-553
  - minors, concerning, 41-1-403
  - patient authorization, See **Disclosures**, authorization by patient
  - record of, 50-16-525
  - rules for, 50-16-502
  - third-party health payors, to, 50-16-527, 50-16-529
  - without patient authorization, bases, 50-16-529, 50-16-530
  - workers' compensation insurers, to, 50-16-527
  - written authorization, immunity from civil suit pursuant to, 50-16-531
- health care providers, to, 50-16-542
- health maintenance organizations, 33-31-113
- HIV-related test results or identity of subject, 50-16-529, 50-16-1003, 50-16-1007, 50-16-1009, 50-16-1013
- hospital medical staff committee publications, 50-16-204
- immunity from action, 41-3-203, 50-16-102
- infant mortality and morbidity information, 50-16-102
- infectious disease, unprotected exposure to — persons involved, 50-16-704
- institutional review board, to, 50-16-529
- law enforcement
  - authorities, to, 41-3-202, 41-3-203, 41-3-205, 50-16-530
  - proceedings, for, 50-16-535
- medical legal panel review proceedings, 27-6-302, 27-6-306
- mental health facility records and information, 53-21-166
- mental or physical condition of patient as issue, for, 50-16-535
- midwives, direct-entry, 37-27-310
- minors
  - authorization by
    - minor, 41-3-408, 50-16-521, 50-19-107
    - parent or guardian, 50-16-542
  - emancipation, limited — rights, 41-3-408
  - health care providers, 41-1-403
  - prenatal serological test information, 50-19-107
  - school district records, to parent or guardian, 20-3-324
- municipal records, 7-1-4144
- occupational health reports, 50-70-107, 50-70-109
- peer review, for, 50-16-529
- physical or mental condition of patient as issue, for, 50-16-535

HEALTH CARE INFORMATION (Continued)
Disclosures (Continued)

prenatal serological test information, 50-19-107, 50-19-108
prison officials, to, 50-16-529
privileged communications, See this main category generally; **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS; EVIDENCE, Privileges**
record of, 50-16-525, 50-16-602
health care information to include, 50-16-504
relatives of patient, to, 50-16-529
research programs, for, See **Research programs**
rules of civil procedure, applicability, 50-16-525
secondary release prohibited when, 50-16-604
sexually transmitted disease information, 50-16-603, 50-18-109
statistical purposes, 50-16-603
tuberculosis, concerning, 50-16-603
tumor registry information, 50-15-704
without patient authorization, bases, 50-16-529, 50-16-530
workers' compensation records or information, 39-71-224, 50-16-527
workers' compensation insurers, to, 50-16-527
Discovery, See **Compulsory process or discovery**; See also **CIVIL PROCEDURE, Discovery**
Disease prevention or control
designated officer, infectious disease exposure — tracking and notification requirements, 50-16-711
disclosure for, 50-16-603
Do not resuscitate order, 50-10-101
Driving under the influence of alcohol or drugs, blood alcohol test results, 61-8-405
Drug abuse treatment facilities, 53-24-306
Drug utilization review by pharmacists, 37-7-406
Emergency medical services, disclosure for, 50-16-603
Enforcement of provisions, 50-16-552
Evidence, See **EVIDENCE**
Examination and copying
denial, 50-16-541, 50-16-542, 50-16-553
fee, 50-16-536, 50-16-541
requirements and procedures, 50-16-541
retention of records during pendency of request, 50-16-513
segregation of information for, 50-16-542
Falsification of certification or disclosure authorization, 50-16-551
Family Services, Department of — commitment to, medical examination report required, 52-5-108
Fees, 50-16-526, 50-16-536, 50-16-541, 50-16-545
Fines for violations, 50-5-106, 50-16-551
Good faith
disclosures, 50-16-528, 50-16-553
patients' representatives, 50-16-521
Government Health Care Information Act, 50-16-601 — 50-16-606, 50-16-611, 50-18-109
Health authorities, disclosure to, 50-16-530
Health care facilities, 50-16-504
directory information, 50-16-504, 50-16-530
law enforcement authorities, disclosure to, 50-16-530
oral surgeons, patient histories taken by — when, 37-4-515
peer review, See **Hospital medical staff committees**
posting of notice of information practices, 50-16-512
reporting obligations, 50-5-106
state required records and reports, 50-5-106
tumor registration, Title 50, chapter 15, part 7

HEALTH CARE INFORMATION (Continued)

Health care providers
  affidavits, 50-16-536
  amendment of information, See **Correction or amendment**
  audits, 50-16-504, 50-16-529
  child abuse and neglect investigations, access to information, 41-3-205, 41-3-208
  chiropractic legal panel review proceedings, effect, 27-12-302, 27-12-306
  civil action, immunity pursuant to written authorization, 50-16-531
  compliance with provisions, court order for, 50-16-553
  compulsory process or discovery requests
    denial of access to information, 50-16-536
    service and certification, 50-16-536
      liability for disclosures made in reliance on, 50-16-553
  copying of information for patient, See **Examination and copying**
  correction of information, See **Correction or amendment**
  crime control, division of — requests for information, 50-16-530, 53-9-104
  definitions, 50-16-504
  denial of access to information, 50-16-526, 50-16-536, 50-16-541, 50-16-542, 50-16-553
  disclosures, See **Disclosures**
  do not resuscitate order, 50-10-101
  examination of information by patient, See **Examination and copying**
  fee for providing information, 50-16-526, 50-16-536
  insurance information and privacy protection act, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
  living will declarations, responsibilities, 50-9-103, 50-9-104, 50-9-201, 50-9-206
  long-term care facility residents, interfacility transfer or discharge — documentation, 50-5-1104
  medical legal panel review proceedings, effect, 27-6-302, 27-6-306
  minors, information concerning, 41-1-403, 50-16-542, 50-19-107
  notice of information practices, content and dissemination, 50-16-512
  other providers, examination and copying, 50-16-542
  peer review, See **Hospital medical staff committees**
  posting of notice of information practices, 50-16-512
  records, 50-16-513, 50-16-527
  retention of records, 50-16-513, 50-16-527
  security safeguards, 50-16-511
  segregation of information for examination and copying, 50-16-542
  third-party health payors, information to, 50-16-527, 50-16-529
  transfer records, failure to, 37-3-322
  utilization reviews, medical records used, 33-22-125, 33-32-103, 33-32-203, 33-32-204
  violations of provisions, evidence to authorities or patients, 50-16-553
  workers' compensation insurers, information to, 50-16-527
Health care representatives, See **Patients**, representatives
Health, local boards and officers, 50-16-602
  disclosures when, 50-16-603, 50-16-604
  testimony prohibited when, 50-16-605
  uniform health care information act, information subject to — when, 50-16-606
  violations, 50-16-611
Health maintenance organizations, 33-31-113
HIV-related test results or identity of subject, disclosure, 50-16-529, 50-16-1003, 50-16-1007, 50-16-1009, 50-16-1013
Hospital medical staff committees
  access to information, 50-16-202
  confidentiality, 50-16-203 — 50-16-205
  "data" defined, 50-16-201
  inadmissibility, 50-16-205

HEALTH CARE INFORMATION (Continued)
Hospital medical staff committees (Continued)

  infant mortality and morbidity information, 50-16-102
  information, disclosure for review, 50-16-529, 50-16-542
  legal panel review proceedings, 27-12-302, 27-12-306
  nonliability, 37-2-201
  publication and use of information, 50-16-204
  reporting of incompetence or unprofessional conduct, 37-3-401 — 37-3-405
Immunity from action for disclosure, 41-3-203, 50-16-102
Immunization records, 20-5-109, 20-5-111, 20-5-403, 20-5-405, 20-5-406
Infant mortality and morbidity, 50-16-102
Infectious disease, exposure to
  designated officer, tracking and notification requirements, 50-16-711
  disclosure of persons involved, 50-16-704
Institutional review board
  disclosure of information to, 50-16-529
  research programs, review or initiation, 50-16-504
Insurance Information and Privacy Protection Act, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
Interstate movement, 50-16-502
Investigative subpoenas, 50-16-535
Law enforcement
  authorities, disclosure to, 41-3-202, 41-3-203, 41-3-205, 50-16-530
  proceedings, disclosure for, 50-16-535
Legislative findings, 50-16-502
Living will declarations, 50-9-103, 50-9-104, 50-9-201, 50-9-206
Local boards of health and health officers, See **Health, local boards and officers**
Long-term care facility residents, interfacility transfer or discharge — documentation, 50-5-1104
Medicaid information, 53-6-133
Medical Legal Panel review proceedings, effect, 27-6-302, 27-6-306
Mental health facility records and information, 53-21-165, 53-21-166, See also **MENTAL ILLNESS OR INCAPACITY, Confidentiality**
Mentally ill patients, medication — notations kept in records, 53-21-145
Mental or physical condition of patient as issue, disclosure for, 50-16-535
Midwives, direct-entry — clients, disclosure of information, 37-27-310
Minors
  child abuse and neglect investigations, 41-3-202, 41-3-203, 41-3-205, 41-3-208, 41-3-303
  emancipation, limited — rights, 41-3-408
  health care providers, release of information, 41-1-403
  immunization records, 20-5-109, 20-5-111, 20-5-403, 20-5-405, 20-5-406
  infant mortality and morbidity, 50-16-102
  noncustodial parent, access to records, 40-4-225
  prenatal serological test information, 50-19-107, 50-19-108
  rights, 41-3-408, 50-16-521
  school district records, 20-3-324
Misrepresentation, 50-16-551
Mountain View School, commitment to — medical examination report required, 52-5-108
Municipal records, 7-1-4144
Negligence, 50-16-553
Noncustodial parent, access to, 40-4-225
Notice of information practices, content and dissemination, 50-16-512
Occupational health reports, 50-70-107, 50-70-109
Optometric Oversight Committee, access to, 37-10-204
Oral surgeons, patient histories taken by — when, 37-4-515
Organ donation requests and dispositions, 72-17-213, 72-17-215

HEALTH CARE INFORMATION (Continued)

- **Patients**
  - access to information, 50-16-502
    - denial, 50-16-526, 50-16-541, 50-16-542, 50-16-553
  - AIDS test results not part of record when, 50-16-1007
  - amendment of information requested by, See **Correction or amendment**
  - authorization for disclosure, See **Disclosures**
  - civil action by, health care provider — immunity pursuant to written authorization, 50-16-531
  - commitment proceedings, disclosure for, 50-16-535
  - compulsory process or discovery requests
    - consent for disclosure by, 50-16-535
    - notice, 50-16-536
  - copying of information, See **Examination and copying**
  - correction of information requested by, See **Correction or amendment**
  - deceased patients
    - physical or mental condition as issue, 50-16-535
    - representatives or relatives, authority, 50-16-522
  - defined, 50-16-504
  - denial of access to information, 50-16-526, 50-16-541, 50-16-542, 50-16-553
  - disagreement, statement of, 50-16-543, 50-16-544
  - disclosure without authorization, bases, 50-16-529, 50-16-530
  - examination of information, See **Examination and copying**
  - fees for information provided, 50-16-526, 50-16-541, 50-16-545
  - general health condition, 50-16-504, 50-16-530
  - health care facilities, disclosure to law enforcement authorities when, 50-16-530
  - health care provider, right to selection, 50-16-542
  - HIV-related test results not part of record when, 50-16-1007
  - hospital care and treatment records, admissibility, 50-16-205
  - identity not allowed
    - abortion information, 50-20-110
    - chemical dependency treatment facility information, 53-24-306
    - health care facility reports to department of health and environmental sciences, 50-5-106
    - hospital medical staff committee publications, 50-16-204
  - interest in use and disclosure, survival when, 50-16-502
  - mental or physical condition as issue, disclosure for, 50-16-535, 50-16-536
  - minors, 41-1-403, 50-16-521, 50-16-542, 50-19-107, 50-19-108
  - notice of information practices, copy to, 50-16-512
  - oral surgeons, histories taken by — when, 37-4-515
  - pharmacists, drug utilization review, 37-7-406
  - physical or mental condition as issue, disclosure for, 50-16-535, 50-16-536
  - prenatal serological test information, 50-19-107, 50-19-108
  - relatives, disclosure to, 41-1-403, 50-16-529, 50-19-107, 50-19-108
  - representatives
    - authority, 50-16-102, 50-16-521
    - deceased patients, 50-16-522
    - good faith, 50-16-521
  - transfer of records upon request, failure of physician to comply, 37-3-322
  - violations, evidence brought to attention of, 50-16-553
  - waiver of right to confidentiality, 50-16-535, 50-16-536
- **Peace officers**, access to, 41-3-202, 41-3-203, 41-3-205
- **Peer review**, 50-16-504, See **Hospital medical staff committees**
- **Penalties for violations**, 50-5-106, 50-16-551, 50-16-611
- **Pharmacists**, drug utilization review, 37-7-406
- **Physical or mental condition of patient as issue**, disclosure for, 50-16-535

HEALTH CARE INFORMATION (Continued)

Physical therapists, effect of reporting of violations by other therapists, 37-11-320
Pine Hills School, commitment to — medical examination report required, 52-5-108
Posting of notice of information practices, 50-16-512
Prenatal serological test information, 50-19-107, 50-19-108
Prison officials, disclosure to, 50-16-529
Privileged communications, See this main category generally; **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS; EVIDENCE, Privileges**
Process, See **Compulsory process or discovery**
Providers, See **Health care providers**
Public policy, 50-16-502
Records
- chemical dependency treatment facilities, 53-24-306
- crime control, division of, 53-9-107
- data base, 50-4-502
- denturists, 37-29-401
- disclosures, of, 50-16-525, 50-16-602
  - health care information to include, 50-16-504
- hospital care and treatment of patient, admissibility, 50-16-205
- hospital medical staff committees, 50-16-202 — 50-16-205
- mental health facilities, 53-21-165, 53-21-166
- municipal, 7-1-4144
- noncustodial parent, access to, 40-4-225
- retention, 50-16-513, 50-16-527
- school districts, 20-3-324, 20-5-109, 20-5-403, 20-5-405, 20-5-406
- testimony concerning, prohibited when, 50-16-605
- transfer, failure of physician to comply, 37-3-322
- utilization reviews, used for, 33-22-125, 33-32-103, 33-32-203, 33-32-204
- workers' compensation, 39-71-224, 50-16-527

Relatives of patient
- deceased patient, authority, 50-16-522
- disclosure to, 41-1-403, 50-16-529, 50-19-107, 50-19-108

Release of information, See **Disclosures**
Representatives of patients, See **Patients**
Research programs
- chemical dependency treatment facility information for, 53-24-306
- health care providers, disclosures for, 50-16-529
- hospital medical staff committee information for, 50-16-202, 50-16-204
- infant mortality and morbidity information, 50-16-102
- institutional review board, review or initiation by, 50-16-504
- mental health facility records and information for, 53-21-166

Respiratory care practitioners, reporting of violations, 37-28-301
Retention of records, 50-16-513, 50-16-527
Rules of Civil Procedure, applicability, 50-16-525
School district records, 20-3-324, 20-5-109, 20-5-403, 20-5-405, 20-5-406
Security safeguards, 50-15-704, 50-16-511
Sexually transmitted diseases, 50-16-603, 50-18-106, 50-18-109
Segregation for examination and copying purposes, 50-16-542
Short titles, 50-16-501, 50-16-601
Social workers, access to, 41-3-202, 41-3-203, 41-3-205
Statistical purposes, disclosure for, 50-16-603
Statute of limitation on actions, 50-16-553
Subpoenas, investigative, 50-16-535
Theft, 50-16-551
Tuberculosis, disclosures concerning, 50-16-603
Tumor registry, 50-15-704

HEALTH CARE INFORMATION (Continued)

Uniform application and construction, 50-16-503
Uniform Health Care Information Act
  citation, 50-16-501
  government health care information subject to, when, 50-16-606
Utilization reviews, health care services, 33-22-125, 33-32-103, 33-32-203, 33-32-204
Violations, 50-5-106, 50-16-551, 50-16-611, 50-19-108
  damages, 50-16-553
  penalties, 50-16-551
  remedies, 50-16-553
Workers' compensation
  insurers, to, 50-16-527
  records or information, 39-71-224, 50-16-527

HEALTH CARE, STATEWIDE UNIVERSAL ACCESS
Administration, 50-1-201, 50-4-202
Antitrust laws, 50-4-306, 50-4-402, 50-4-601
Billing simplification, 50-4-305
Budget and budgeting, 50-5-101, 50-5-502
Certificate of public advantage, See **Cooperative agreements**
Confidentiality, 50-4-502
Contracts, 50-4-202, 50-4-501
Cooperative agreements, 50-4-102
  appeals regarding, 50-4-610
  allowed, 50-4-602
  certificates of public advantage, 50-4-102
    reconsideration after denial, 50-4-604
    revocation, 50-4-609
    standards, 50-4-603
  findings and purpose, 50-4-601
  public hearings, 50-4-603, 50-4-604
  records of, 50-4-611
  rulemaking, 50-4-612
Cost containment or management, 33-22-1809, 50-4-302, 50-4-303, 50-4-503
Data base, 50-4-102, 50-4-502, See also **HEALTH CARE INFORMATION**
Definitions, 50-4-102
Drugs, prescription
  cost reduction mechanisms, 50-4-302
  purchasing pool, feasibility study, 50-4-309
Electronic processing system, 50-4-305, 50-4-501
Grants, gifts, or contributions, 50-4-202, 50-4-402
Health care authority, 50-4-102
  administration, 2-15-121, 50-1-201, 50-4-202
  allocation, 50-4-201
  antitrust laws, 50-4-306, 50-4-402, 50-5-601
  certificate of public advantage, issuance, 50-4-603, 50-4-604
  compensation, 2-15-124, 50-4-202
  contracts, 50-4-202, 50-4-501
  cooperative agreements, duties concerning, See **Cooperative agreements**
  cost containment, criteria and features, 33-22-1809, 50-4-302, 50-4-303
  creation, 50-4-201
  damages, tort reform measures — study, 50-4-306
  data base, unified — development and maintenance, 50-4-502
  drugs, cost reduction mechanisms and study, 50-4-302, 50-4-309
  executive director, 50-4-201
  federal law, waivers — application for, 50-4-306

HEALTH CARE, STATEWIDE UNIVERSAL ACCESS (Continued)
Health care authority (Continued)

- health care facility, certificate of need process — review, 50-4-311
- information, compulsion of production, 50-4-502
- insurer, cost management plans — filing, 50-4-503
- legislation, recommendations for proposed, 50-4-306, 50-4-308, 50-4-309, 50-4-311
- long-term care, study and recommendations, 50-4-310
- membership, 50-4-201
- rulemaking powers, 50-4-502, 50-4-612
- reports required, 50-4-202, 50-4-301, 50-4-306, 50-4-307, 50-4-310
- resources and services, determination of distribution, 50-4-304
- rulemaking powers, 50-4-202
- state purchasing pool, 50-4-308

Health care facilities, 50-5-101, 50-4-102, See also **HEALTH CARE FACILITIES**
- certificate of need process, review, 50-4-311

Indian health service, integration, 50-4-302
Information concerning, 50-4-102, 50-4-502, See also **HEALTH CARE INFORMATION**
Insurer, cost management plans, 50-4-102, 50-4-503, See also **INSURANCE, DISABILITY**
Liability, study of tort reform measures required, 50-4-306
Long-term care, study and recommendations, 50-4-310
Prescription drugs, 50-4-302, 50-4-309
Plans, 50-4-102
- availability of, 50-4-307
- billing simplification, 50-4-305
- claim forms and procedures, uniform, 50-4-501
- cost containment, 50-4-303
- education of public, 50-4-303, 50-4-306
- features, 50-4-302 — 50-4-306
- multiple payor system, regulated, 50-4-301
- planning region, removal of county, 50-4-401
- public hearings, 50-4-304, 50-4-307, 50-4-310, 50-4-401, 50-4-402, 50-4-603, 50-4-604
- regional plan, planning board duties concerning, 50-4-402
- required, 50-4-301
- resource management, 50-4-102, 50-4-304
- single payor system, 50-4-301, 50-4-311

Regions and regional planning boards, 50-4-102
- budget, submission to authority, 50-4-402
- creation, 50-4-401
- distribution of resources, 50-4-304
- membership and selection, 50-4-401
- powers and duties, 50-4-402
- public hearings, 50-4-307, 50-4-310, 50-4-401

Reports required, 5-11-210, 50-4-202, 50-4-301, 50-4-306, 50-4-307
Small Employer Health Insurance Availability Act, Title 33, chapter 22, part 18
State health plan, administration, 50-4-201, 50-4-202
State policy, 50-4-101
State purchasing pool, 50-4-308
Studies, 50-4-306, 50-4-309, 50-4-310
Unified health care budget, 50-4-101, 50-4-302
Unified health care data base, 50-4-102, 50-4-502
Veterans, health services for — integration, 50-4-302

HEALTH FACILITY AUTHORITY
Actions generally, 90-7-201, 90-7-202
Agent of, 90-7-204
Allocation, 2-15-1815
Applicability of laws, 90-7-302

HEALTH FACILITY AUTHORITY (Continued)

Appointment of members, 2-15-1815
Audits, 90-7-121
Bonds and notes, 90-7-202, 90-7-301, 90-7-302
  contracts financed by, standard prevailing wage requirement, 18-2-403, 90-7-302
  credit of state not pledged, 90-7-111
  investment, legal — as, 90-7-113
  investment of unused funds, 90-7-202
  issuance, 90-7-202, 90-7-301 — 90-7-303, 90-7-317, 90-7-320
  purchase, 90-7-212, 90-7-318, 90-7-320
  securities law, applicability, 90-7-112
  security, 90-7-111, 90-7-304, 90-7-305, 90-7-318
  tax exemption, 90-7-112
  trust agreement to secure, 90-7-305
  trust, establishment, 72-33-108
  trust funds, 90-7-306
  volume cap bond allocation, 17-5-1312
Capital reserve account, 90-7-102, 90-7-317 — 90-7-320
Citation of Montana Health Facility Authority Act, 90-7-101
Contract, power to, 90-7-202, 90-7-311
Conveyance of facility by, 90-7-214, 90-7-307
Creation, 2-15-1815
Definitions, 90-7-102, 90-7-104
Eligibility for funding through
  costs, allowable, 90-7-102, 90-7-103, 90-7-211
  health facilities, which eligible, 90-7-102, 90-7-104, 90-7-303
Enterprise fund, 90-7-202, 90-7-317
Expenses of Authority, 90-7-211
Expenses of members, 90-7-201
Fees, 90-7-211, 90-7-317
Funds
  capital reserve account, 90-7-102, 90-7-317 — 90-7-320
  investment of, 90-7-202, 90-7-317
  reserves, 90-7-211
  trust, held in, 90-7-306
Indebtedness of, 90-7-202, 90-7-211, 90-7-302
Investments by, 90-7-202, 90-7-317
Leases, 90-7-202, 90-7-204, 90-7-214, 90-7-302, 90-7-304, 90-7-307
Loans, authority and restrictions, 90-7-202, 90-7-213, 90-7-220, 90-7-311, 90-7-317, 90-7-320
Meetings, 90-7-201
Montana Developmental Center, loan agreement, 90-7-220, 90-7-317
Obligations
  credit of state not pledged, 90-7-111
  not to be impaired, 90-7-311
Operation of facilities by, restrictions, 90-7-214
Personnel, 2-15-1815, 90-7-203, 90-7-311
Pledges, validity, 90-7-312
Powers and duties generally, 90-7-202
Property acquisition and disposal by, 90-7-202
Quasi-judicial board, designation as, 2-15-1815
Quorum, 90-7-201
Resolutions, 90-7-201, 90-7-317, 90-7-318
Rulemaking authority, 90-7-202
Seal, 90-7-202
Securities law, applicability, 90-7-112, 90-7-302
Short title, 90-7-101

HEALTH FACILITY AUTHORITY (Continued)

Tax exemption, 90-7-112
Vacancies, 90-7-201

HEALTH, LOCAL BOARDS AND DEPARTMENTS
  See also **HEALTH OFFICERS, LOCAL**
Administrative authority, 50-1-202
AIDS testing and counseling, 50-16-1003, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Appropriations, See **Funding**
Barbershops or barber schools and colleges, approval of wastewater disposal methods, 37-30-403
Bylaws, 50-2-116
Campgrounds and trailer courts
  inspections and enforcement, funding, 50-52-302
  license application, validation by, 50-52-209
  list of licensees to department of health and environmental sciences, 50-52-204
  performance standards, 50-52-302
Chairman, 50-2-116
City boards of health, 50-2-105
  authorization, 7-31-4101
  funding, 50-2-110
  jurisdiction, 7-31-4101
  rulemaking authority, 50-2-105
City-county boards of health, 50-2-106
  counsel, 50-2-115
  funding, 50-2-111
  rulemaking authority, 50-2-106
Commerce, Department of — cooperation with, 81-23-103
Communicable diseases, See **DISEASES**
Cooperation with other boards and agencies, 50-2-116
Counsel, 50-2-115
County boards of health, 50-2-104
  city-county commission as, 7-3-1347
  counsel, 50-2-115
  funding, 15-10-412, 50-2-109
  rulemaking authority, 50-2-104
Day-care facilities — staff training, inspections, and certification, 52-2-735
Definitions, 50-2-101
Dental hygienists, practice under board, 37-4-405
Disease control, See **DISEASES, Local boards of health and officers**
District boards of health, 50-2-107, 50-2-112
Enforcement, 50-1-202, 50-2-116, 50-2-123, 50-2-124, See also this main category generally
Federal funds, 50-2-103, 50-2-108, 50-2-116
Financing, See **Funding**
Fines for violations, 50-2-124
Food establishments
  enforcement of provisions, 50-50-305
  inspections, funding, 50-50-305
  license validations, appeals from and hearings, 50-50-215
  list of licensees to department of health and environmental sciences, 50-50-208
  tour boats, 16-4-210
Funding
  appropriations by, 50-2-108 — 50-2-112
  campgrounds and trailer courts, for enforcement, 50-52-302
  city boards, 50-2-110

HEALTH, LOCAL BOARDS AND DEPARTMENTS (Continued)
Funding (Continued)

- city-county boards, 15-10-412, 50-2-111
- contributions, by, 50-2-108, 50-2-113
- county boards, 50-2-109
- district boards, 50-2-112
- federal funds, 50-2-103, 50-2-108, 50-2-116
- food establishments, for enforcement, 50-50-305
- hotels, for enforcement, 50-51-303
- levies, by, 15-10-412, 50-2-108, 50-2-111, 50-2-114
- local board inspection fund account, 50-2-108, 50-50-205, 50-50-305, 50-51-204, 50-51-303, 50-52-202, 50-52-302, 50-53-203
- nursing services, for, 50-2-119
- school boards, contributions from, 50-2-108, 50-2-113, 50-2-116
- state funds, 50-2-108, 50-2-116

Funeral directors, violation of rules by, 37-19-311
Government Health Care Information Act, Title 50, chapter 16, part 6
Health care information, disclosures by or to, 50-16-601 — 50-16-606, 50-16-611, See also **HEALTH CARE INFORMATION**
Health care, statewide universal access — planning regions and regional planning boards, membership, 50-4-401
Health officers, appointment, 50-2-117, See also **HEALTH OFFICERS, LOCAL**
HIV-related testing and counseling, 50-16-1003, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Hotels and motels

- injunction, petition for, 50-51-402
- inspections, funding, 50-51-303
- license, validation by, 50-51-215
- performance standards, 50-51-303

Inspections, 16-4-210, 50-2-116
Law enforcement officers, assistance by, 50-2-120
Legal adviser, 50-2-115
Levies, See **Funding**
Livestock, Department of

- agreements with, 81-22-305
- cooperation with, 81-2-106

Local health officer, See **HEALTH OFFICERS, LOCAL**
Medical record information, disclosures by or to, 50-16-601 — 50-16-606, 50-16-611, See also **HEALTH CARE INFORMATION**
Meetings, 50-2-116
Membership changes, 50-2-118
MIAMI Project Advisory Council, representation on, 2-15-2109
Morticians, violation of rules by, 37-19-311
Mortuaries, violation of rules by, 37-19-404
Naturopathic physicians, responsibilities and duties, 37-26-303
Noncompliance orders, 50-2-123
Notices of, removal or defacing, 50-2-122
Nuisances, abatement by, 50-2-116
Nursing services, provision, 50-2-119
Obstruction of officers, 50-2-122
Officer, See **HEALTH OFFICERS, LOCAL**
Officers of board, 50-2-116
Orders for compliance, 50-2-123
Peace officers, assistance by, 50-2-120
Penalties, 50-2-124
Personnel, 50-2-116

HEALTH, LOCAL BOARDS AND DEPARTMENTS (Continued)

Premarital examinations
  free, when, 40-1-207
  information and contents, availability, 40-1-208
Public water supplies, survey or inspection agreements, 75-6-104
Quarantine authority, 50-2-116, 50-2-118, 50-2-122
Report to Department of Health and Environmental Sciences, 50-2-118
Rulemaking authority, 50-2-104 — 50-2-106, 50-2-116, 50-2-124
School immunization requirements, Title 20, chapter 5, part 4
Sewage disposal requirements, 50-2-116, 75-5-305
Sexually transmitted disease control, Title 50, chapter 18, See **DISEASES**
Smoking regulations, enforcement, 50-40-108
Solid waste management, rules for, 75-10-112
Solid waste management district board of directors
  board of health, designation as, 7-13-214
  membership, 7-13-214, 7-13-305
Staff, 50-2-116
Subdivision review, Title 76, chapter 4, See **SUBDIVISIONS, Reviewing authority**
Swimming pools and swimming areas, duties, Title 50, chapter 53, See **SWIMMING POOLS AND SWIMMING AREAS**
Trailer courts, See **Campgrounds and trailer courts**
Tuberculosis control, Title 50, chapter 17, See **DISEASES**
Violations, 50-2-124
Visiting nurses, 50-2-119
Water quality control, responsibilities, Title 7, chapter 13, part 45; Title 75, chapter 5, See **WATER QUALITY**
Water quality district board of directors
  designation as, 7-13-4516
  members, 7-13-4516, 7-13-4528

HEALTH MAINTENANCE ORGANIZATIONS
Acquisition, control, or merger — restrictions, 33-31-204
Actions against, 33-31-401
Administrative
  changes effected by complaints, 33-31-303
  penalty, 33-31-405
  procedure, applicability, 33-31-404, 33-31-405
  sanctions, 33-31-301
  services and staff, 33-31-201
Administrator, 33-31-201
Adopted children, coverage, 33-31-114
Advertising, 33-31-111, 33-31-312, 33-31-402
Advisory panels, 33-31-222
Alcoholism, treatment — coverage, 33-31-102, 33-31-301
Annual statement, 33-31-112, 33-31-211, 33-31-212
Applicability of laws, 33-31-111, 33-31-201
Applicants, 33-31-113, 33-31-201
Applications, 33-31-112, 33-31-201, 33-31-202
Articles of incorporation, 33-31-201
Assets, 33-31-216, 33-31-401
Benefits, 33-18-231 — 33-18-235, 33-31-201, 33-31-301, 33-31-312
Bond, fidelity — officers and employees, 33-31-223
Books and records, 33-31-401
Buildings, 33-31-216
Bylaws, 33-31-201
Capital requirements, 33-31-216

HEALTH MAINTENANCE ORGANIZATIONS (Continued)

Cease and desist orders, 33-31-405
Certificate of authority
  application, 33-31-201, 33-31-202, 33-31-212
  continuation fee, 33-31-211, 33-31-212
  denial, 33-31-202, 33-31-404
  fees, 33-31-202, 33-31-211, 33-31-212
  foreign persons, qualification, 33-31-201
  issuance, 33-31-202
  required, 33-31-201, 33-31-312
  revocation or suspension, 33-31-201, 33-31-211, 33-31-402, 33-31-404
Child support, health insurance coverage requirement, 40-5-440
Citation of Montana Health Maintenance Organization Act, 33-31-101
Claims, 33-31-113, 33-31-303
Complaint system, 33-31-201, 33-31-301, 33-31-303, 33-31-402
Confidential information, 33-31-112, 33-31-113, 33-31-201, 33-31-303
Construction of provisions, 33-31-111
Contracts
  administration, for, 33-31-221
  adopted children, coverage, 33-31-114
  delegated management authority, for, 33-31-201
  dentists, request for participation, 33-31-305
  enrollees, 33-31-301, See also **Evidence of coverage**
  enrollment, for, 33-31-221
  evidence of coverage, as, 33-31-301
  filing requirements, exception when, 33-31-221
  governments, with, 33-31-216
  health service corporations, with, 33-31-203, 33-31-216, 33-31-221
  insurers, with, 33-31-203, 33-31-216, 33-31-221
  marketing, for, 33-31-221
  power of organization, 33-31-221
  provider, 33-31-201
  reinsurance, of — filing, 33-31-201
Conversion, wrongful, 33-31-204
Deceptive practices, 33-31-301, 33-31-312, 33-31-402
Definitions, 33-31-102, 33-31-114
  health maintenance organization, 33-31-102, 50-5-101, 50-5-301, 50-5-304
Deposit of cash or securities, 33-31-202, 33-31-216
Diabetes, coverage for, 33-31-301
Directors, 33-31-211, 33-31-223
Disclosures, 33-31-113, 33-31-301
Discontinuance, 33-31-202
Documents, 33-31-112, 33-31-201
Drug addiction, treatment — coverage for, 33-31-102, 33-31-301
Dual choice by employers, 33-31-304
Emergency care, provisions for, 33-31-201, 33-31-301
Employees, 33-31-211, 33-31-223
Employers or employee benefits funds, dual choice by, 33-31-304
Enforcement, 33-31-405
Enrollees, 33-31-102
  abuse, acts of — effect, 33-31-312
  administrative sanctions, 33-31-301
  adopted children, coverage, 33-31-114
  advisory panels, 33-31-222
  alternate coverage, 33-31-202, 33-31-216, 33-31-312
  appointments with provider, failure to keep, 33-31-301, 33-31-312

HEALTH MAINTENANCE ORGANIZATIONS (Continued)
Enrollees (Continued)

- basic health care services, amount of payment, 33-31-301
- benefits, 33-18-231 — 33-18-235, 33-31-201, 33-31-301, 33-31-312
- charges, schedule of — amendment issued to, 33-31-301
- complaints, 33-31-201, 33-31-301, 33-31-303, 33-31-402
- continuing coverage when, 33-31-301
- conversion contracts, 33-31-301
- copayments, 33-31-202, 33-31-301
- deductibles, 33-31-301
- dependents, 33-31-301
- disenrollment, cancellation, or nonrenewal, 33-31-303, 33-31-312
- enrollment, 33-31-301, 33-31-312, 33-31-402
- evidence of coverage, See **Evidence of coverage**
- grievances, filing, 33-31-312
- group coverage, termination — effect, 33-31-301
- individual contracts, 33-31-301, 33-31-312
- insolvency of organization, protection, 33-31-201, 33-31-216
- insurability, evidence of — not required when, 33-31-301
- liquidation of organization, priority of enrollees, 33-31-403
- malpractice claims, 33-31-303
- medical information, confidentiality and disclosure when, 33-31-113
- nonenrollees, use of certification card — effect, 33-31-312
- operation of organization, change in — notice to, 33-31-302
- participation in matters of policy and operation, 33-31-201, 33-31-202, 33-31-222, 33-31-402
- permissible group, as, 33-31-203
- physician-patient relationships, unsatisfactory, 33-31-312
- policies, See **Evidence of coverage**
- preexisting conditions, 33-31-216, 33-31-301
- premiums, 33-31-312
- providers designated by, when, 33-31-301
- rehabilitation of organization, priority of enrollees, 33-31-403
- rules, violation, 33-31-312
- service areas, 33-31-201, 33-31-301, 33-31-312
- termination of employment or membership, effect, 33-31-301

Enrollment, 33-31-221, 33-31-301, 33-31-312, 33-31-402
Equipment, 33-31-216
Establishment, 33-31-201
Evidence
- privilege, 33-31-113
- rules of, applicability, 33-31-404

Evidence of coverage, 33-31-102, 33-31-301
- charges for health care services, schedule, 33-31-301
- complaint system, description in, 33-31-301, 33-31-303
- deceptive practices, 33-31-301, 33-31-312
- disenrollment, cancellation, or nonrenewal of enrollees — disclosure in, 33-31-312
- language simplification, 33-15-321 — 33-15-329
- noncompliance with requirements, 33-31-402
- rules stated in, 33-31-312

Examinations, 33-31-303, 33-31-401
Fees, 33-31-202, 33-31-211, 33-31-212, 33-31-301, 33-31-311
Filings
- bond, fidelity — notice of cancellation or termination, 33-31-223
- certificate of authority application information — changes, alterations, or amendments, 33-31-201, 33-31-212, 33-31-402
- charges, schedule of, 33-31-301

HEALTH MAINTENANCE ORGANIZATIONS (Continued)
Filings (Continued)

- complaints, summary, 33-31-303
- contracts, 33-31-221
- delegated management authority contracts, 33-31-201
- enrollment forms and amendments to approved forms, 33-31-301
- evidence of coverage, 33-31-301
- exemption from requirements when, 33-31-201, 33-31-221
- fees, 33-31-212
- financial statements, 33-31-211, 33-31-212
- merger or acquisition of control, information, 33-31-204
- public documents, as, 33-31-112
- reinsurance contracts, 33-31-201
- rules concerning, 33-31-201, 33-31-221

Financial
- guaranties, 33-31-201, 33-31-216
- plan, 33-31-201
- responsibilities, inability to meet, 33-31-402
- statement, 33-31-112, 33-31-201, 33-31-211, 33-31-212

Fines, 33-31-211, 33-31-311
Foreign persons, qualification for certificate of authority, 33-31-201
Forms, 33-31-201, 33-31-211, 33-31-301
Funds, fiduciary responsibilities, 33-31-223
Governing body, 33-31-222
Governments, agreements or contracts with, 33-31-202, 33-31-216
Health care expenses, 33-22-903, See **INSURANCE, DISABILITY**, **Medicare supplement insurance**
Health care facilities, 33-31-111, 33-31-203, 33-31-221, 50-5-101
Health care services, 33-31-102
- access to, disclosure of limitations, 33-31-301
- additional, 33-31-221
- basic health care services, 33-31-102, 33-31-202, 33-31-221, 33-31-301, 33-31-402
- benefit payments by insurers or health service corporations, 33-31-203
- charges, schedule of, 33-31-202, 33-31-301, 33-31-304, 33-31-402
- copayments, 33-31-202, 33-31-301
- deductibles, 33-31-301
- evidence of coverage, statement in, 33-31-301
- health care services agreement, 33-31-102, 33-31-311
- limitations and disclosure of, 33-31-301
- loans for, 33-31-221
- payment for, 33-31-202, 33-31-301
- power of organization for, 33-31-221
- procedures and programs, submission, 33-31-201
- providers, See **Providers**
- requirements, noncompliance, 33-31-402

Health service corporations, 33-31-102, 33-31-111, 33-31-201 — 33-31-203, 33-31-216, 33-31-221, 33-31-301
Hearings, 33-31-404
- certificate of authority — denial, suspension, or revocation, 33-31-404
- enrollment forms, on disapproval, 33-31-301
- fines, imposition, 33-31-211
- penalty, administrative — imposition, 33-31-405
- plan — proposed change, alteration, or amendment, 33-31-201
- power, for exercise of, 33-31-221
- rules, for, 33-31-103
- violations, concerning, 33-31-405

Hold harmless agreements, 33-31-201

HEALTH MAINTENANCE ORGANIZATIONS (Continued)

Holding company systems, financial guaranties, 33-31-201
Home health care, coverage, 33-31-301
Information and Privacy Protection Act, Insurance, Title 33, chapter 19
Injunction, 33-31-405
Insolvency, 33-31-201, 33-31-216
Insurance producers, 33-31-102, 33-31-211, 33-31-311, 33-31-312, 33-31-401
Insurers or health service corporations, 33-31-102, 33-31-111, 33-31-201 — 33-31-203, 33-31-216, 33-31-221, 33-31-301
Investigations, 33-31-202
Investments by, 33-31-215, 33-31-223
Joint operations, 33-31-203
Judicial review, 33-31-404, 33-31-405
Kidney disease treatment, coverage for, 33-31-301
Land, 33-31-216
Lease of hospital or medical facilities, 33-31-221
Liabilities, 33-31-216
Lien, examiner's expenses as, 33-31-401
Life and Disability Insurance Policy Language Simplification Act, 33-15-321 — 33-15-329
Liquidation, 33-31-403
Loans to medical groups, 33-31-221
Long-term care insurance, Title 33, chapter 22, part 11
Malpractice claims, 33-31-303
Mammography examinations, coverage, 33-22-132, 33-31-102
Management authority, delegation, 33-31-201
Marketing, 33-31-201, 33-31-221, 33-31-402
Maternity benefits for dependent children, coverage, 33-31-301
Medical information, confidentiality, 33-31-113
Medicare supplement insurance policies, Title 33, chapter 22, part 9
Medicine, practice of — exemption from provisions, 33-31-111
Members, 33-31-211
Mental illness, treatment — coverage, 33-31-102, 33-31-301
Merger or consolidation, restrictions, 33-31-204
Miscellaneous charges, 33-31-212
Montana Insurance Code, nonapplicability of provisions, 33-1-102, 33-31-111
Name, use, 33-31-312
Net income or net worth, 33-31-216
Newborn infant coverage, 33-31-102, 33-31-301, 33-31-402
Nonenrollees, use of enrollee's certification card — effect, 33-31-312
Notices, 33-31-404
  bond, fidelity — cancellation or termination, 33-31-223
  certificate of authority — denial, suspension, or revocation, 33-31-404
  complaints, notice to enrollee of right to file, 33-31-303
  enrollment forms, disapproval, 33-31-301
  fines, imposition, 33-31-211
  newborn infant, notice of birth to organization when, 33-31-301
  operation of organization, changes — to enrollees, 33-31-302
  penalty, administrative — imposition, 33-31-405
  plan — proposed change, alteration, or amendment, 33-31-201
  power, prior to exercise of, 33-31-221
  rules, for, 33-31-103
  violations, of, 33-31-405
Nursing care, skilled — coverage, 33-31-301
Office, administrative, 33-31-201
Officers, 33-31-211, 33-31-223, 33-31-401

HEALTH MAINTENANCE ORGANIZATIONS (Continued)

Operation, 33-31-201 — 33-31-203
  changes in, notice, 33-31-302
  defect in, remedy, 33-31-405
  enrollee participation, 33-31-201, 33-31-202, 33-31-222, 33-31-402
  violation of basic organizational document, 33-31-402
Orders
  cease and desist, 33-31-405
  certificate of authority — denial, suspension, or revocation, 33-31-404
  continuance of business, for — when, 33-31-402
  supervision, rehabilitation, or liquidation, 33-31-403
Partners, 33-31-223
Penalties, 33-31-405
Phenylketonuria (PKU), coverage, 33-31-102
Physician-patient relationships, unsatisfactory, 33-31-312, See also **Providers**
Policies, See **Evidence of coverage**
Policy of organization, enrollee participation, 33-31-201, 33-31-202, 33-31-222, 33-31-402
Power of attorney, 33-31-201
Powers, 33-31-221
Preferred provider agreements, Title 33, chapter 22, part 17
Premium income, 33-31-201
Privileged communications, 33-31-112, 33-31-113, 33-31-201, 33-31-303
Prohibited practices, 33-31-301, 33-31-312
Property, 33-31-216, 33-31-221, 33-31-401
Providers, 33-31-102
  abuse by enrollees, effect, 33-31-312
  agreements, 33-31-201, 33-31-202
  availability, 33-31-201
  books and records, submission for examinations, 33-31-401
  change of providers, 33-31-301
  contracts with, See **Contracts**
  dentists, participation, 33-31-305
  designation by enrollee, when, 33-31-301
  employment by organization, 33-31-221
  financial guaranties by and assumption of financial risk, 33-31-201
  governing body of organization, inclusion, 33-31-222
  health care services, See **Health care services**
  hold harmless agreements, 33-31-201
  medical information, confidentiality and disclosure when, 33-31-113
  physician-patient relationships, unsatisfactory, 33-31-312
  primary care providers, 33-31-201, 33-31-301, 33-31-312
  principals, examination, 33-31-401
  records, submission for examinations, 33-31-401
  referral providers, 33-31-301
  reimbursement for services, 33-31-201
  selection of, 33-31-301
  uncovered expenditures, priority of claims for, 33-31-403
Public documents, filings and reports as, 33-31-112
Records, 33-31-303, 33-31-401
Redeposit of cash or securities, 33-31-216
Rehabilitation, 33-31-403
Reinsurance, 33-31-201
Relationship to other laws, 33-31-111
Renal disease, treatment, coverage, 33-31-301
Reports, 33-31-112, 33-31-211
Rules, 33-31-103, 33-31-201, 33-31-202, 33-31-212, 33-31-221, 33-31-312

HEALTH MAINTENANCE ORGANIZATIONS (Continued)

Securities, 33-31-202, 33-31-204, 33-31-216
Service areas, 33-31-201, 33-31-301, 33-31-312
Service of process, 33-31-201
Short title, 33-31-101
Small employer health insurance, Title 33, chapter 22, part 18
Solicitation of business, 33-31-111, 33-31-311, 33-31-312, 33-31-402
Supervision, 33-31-403
Surety bond, officers and employees, 33-31-223
Trade secrets,confidentiality, 33-31-112
Type of organization, 33-31-201
Uncovered expenditures, 33-31-102, 33-31-216, 33-31-403
Utilization reviews, applicability, 33-22-125, 33-32-105
Violations, 33-31-211, 33-31-312, 33-31-405
Voting security, acquisition — restrictions, 33-31-204
Wind up of affairs, 33-31-402
Working capital, 33-31-201, 33-31-202

HEALTH OFFICERS, LOCAL
AIDS testing and counseling, 50-16-1003, 50-16-1009
Anatomical gifts, release and permitting removal of parts when, 72-17-215
Appointment, 50-2-116, 50-2-117
Campgrounds and trailer courts
  access to establishment, 50-52-303
  inspections by, 50-52-103, 50-52-301, 50-52-302
  investigations by, 50-52-301
  license validation by, 50-2-118, 50-52-201, 50-52-208, 50-52-209
  performance standards, 50-52-302
Cesspool, septic tank, and privy cleaners — duties concerning, Title 37, chapter 41
Chiropractors, reports by, 37-12-103
City-county consolidated government department of health, director's powers and duties, 7-3-1346
Commerce, Department of — cooperative agreements, 81-22-305
Communicable disease hospital, in charge of, 50-2-118
Communicable diseases reported to, 37-2-301
Community homes for persons with severe disabilities, inspections, 52-4-204
Compliance orders, 50-2-123
Day-care facilities — staff training, inspections, and certification, 52-2-735
Defined, 50-2-101
Detention center inmates, removal from center when diseased, 50-2-121
Developmentally disabled persons, certification of community homes, 53-20-307
Diseases, authority, See **DISEASES**
Enforcement by, 7-3-4463, 50-2-118, 50-2-123
Expenses, 50-2-116
Food establishments
  access to establishment, 50-50-302
  injunction, action brought by, 50-50-106
  inspections by, 50-30-302, 50-50-301
  investigations by, 50-30-302, 50-50-301
  licenses, validation, 50-2-118, 50-50-201, 50-50-214, 50-50-215
  nonprofit organizations, registration, 50-50-202
Government Health Care Information Act, Title 50, chapter 16, part 6
Hazardous chemical complaints, duties, 50-78-402
Health care information, disclosures by or to, 50-16-601 — 50-16-606, 50-16-611, See also **HEALTH CARE INFORMATION**
HIV-related testing and counseling, 50-16-1003, 50-16-1009

HEALTH OFFICERS, LOCAL (Continued)

Hospital for communicable disease, authority, 50-2-118
Hotels and motels
    inspections and investigations by, 50-51-301, 50-51-302
    license, validation by, 50-2-118, 50-51-201, 50-51-214, 50-51-215
Indigent, not required to be physician for, 50-2-118
Inspection authority, 50-2-118
Intoxicated persons, detention, 53-24-304
Law enforcement officers, assistance by, 50-2-120
Marriage license applicants, examinations, 40-1-207
Mattresses, inspection, 50-36-103
Medical record information, disclosures by or to, 50-16-601 — 50-16-606, 50-16-611, See also **HEALTH CARE INFORMATION**
Milk or cream investigations, samples, or analyses — agreements, 81-22-305
Mosquito control boards, ex officio members, 7-22-2411, 7-22-2419
Obstruction in performance of his duties, 50-2-122
Orders, compliance, 50-2-123
Organ donations, release and permitting removal of parts when, 72-17-215
Peace officers, assistance by, 50-2-120
Physician, as, 50-2-116, 50-2-118
Public assembly, authority to prohibit, 50-2-118
Public water supply systems, complaints regarding pollution of, 75-6-104
Public welfare, director of — supervision, 7-3-4463
Qualifications, 50-2-116
Quarantine authority and duties, 50-2-118, 50-23-103
Rabies in wild animals, authority, 50-23-103
Reports by, 50-2-118
Salary, 50-2-116
Sanitarian licensing provisions, exemption when, 37-40-102
School immunization requirements, Title 20, chapter 5, part 4
Solid waste disposal licenses, duties, Title 75, chapter 10, See **SOLID WASTE MANAGEMENT**
Subdivision reviewing authority, cooperation, 76-4-106
Swimming pools and swimming areas
    definitions, 50-53-102
    licenses, validation, 50-2-118, 50-53-202, 50-53-206
        refusal, 50-53-206, 50-53-207
    performance standards, 50-53-103, 50-53-218
Underground storage tank installations or closures, inspection, 75-11-213

HEALTH SERVICE CORPORATIONS
Actions
    investigations not a bar to, 33-30-303
    third-party actions, 33-30-1101, 33-30-1102
Administrative Procedure Act, applicability, 33-30-106, 33-30-112
Adopted children, coverage, 33-30-1016
Advertising, 33-22-903, 33-22-906, 33-30-305
Alcoholism treatment, coverage, 33-22-701, 33-22-703, 33-22-1203
Annual report, 33-30-202, 33-30-204
Annual statement, 33-30-107
Application of provisions, 33-30-102
Assets, 33-30-105, 33-30-201
Cease and desist orders, 33-1-318, 33-30-112
Classifications, discrimination prohibited, 33-30-306
Comprehensive health association, participation in, Title 33, chapter 22, part 15
Conflict of laws, 33-30-102

HEALTH SERVICE CORPORATIONS (Continued)

Construction of related laws, 33-30-102
Contractees, injuries caused by, 33-30-304
Contracts allowed, 33-30-302
Deceptive practices prohibited, 33-30-305
Definitions, 33-1-201, 33-22-1201, 33-22-1501, 33-30-101, 33-30-311, 33-30-1014, 33-30-1016
Directors, board of, 33-30-302, 33-30-306
Discrimination in contract terms and conditions prohibited, 33-1-502, 33-30-306, 49-2-309, See also generally **DISCRIMINATION, Insurance; Insurers**
Drug addiction treatment, coverage, 33-22-701, 33-22-703, 33-22-1203
Examination or investigation, 33-30-105, 33-30-303, 33-30-305, 33-30-312
Fees, 33-30-108, 33-30-204
Filings, 33-30-107, 33-30-202, 33-30-204, 33-30-301, 33-30-312
Financial condition, 33-30-202, 33-30-305
Forms, 33-30-301
Genetics program fee, 33-2-712
Grievance procedures for members, 33-30-303
Group plans
  conversion to individual policies, 33-30-1007 — 33-30-1009, 33-30-1015, 33-30-1021
  dentists, payments for care or services allowed when, 33-30-1011
  handicapped dependents, continuation of coverage, 33-30-1004
  newborn infant coverage, 33-30-1001
  nurse specialists, coverage for services provided by, 33-30-1013
  reduction of work schedule, continuing coverage, 33-30-1006
  well-child care, coverage for, 33-30-1014
Handicapped dependents, continuation of coverage, 33-30-1003, 33-30-1004
Health maintenance organizations, as insurers or operation by, 33-31-102, 33-31-111, 33-31-201 — 33-31-203, 33-31-216, 33-31-221, 33-31-301
Hearings, 33-30-105, 33-30-112, 33-30-313
Home health care, coverage, 33-22-1001 — 33-22-1003
Individual plans, 33-30-307, 33-30-1007
Injunction, 33-1-318, 33-30-113
Insurance administrators, nonapplicability of provisions, 33-17-102
Insurance Information and Privacy Protection Act, Title 33, chapter 19
Insurance producers
  approval, 33-30-312
  defined, 33-17-102, 33-19-104, 33-30-311
  education, prelicensing, 33-17-207 — 33-17-209, 33-30-312
  health maintenance organization insurance producers, applicability of provisions, 33-31-311
  license, 33-17-207 — 33-17-209, 33-30-204, 33-30-312, 33-30-313, 49-3-204
Jurisdiction to Determine Jurisdiction of Providers of Health Care Benefits Act, Title 33, chapter 1, part 11
License, issuance and continuation, 33-30-108, 33-30-204
Life and Disability Insurance Policy Language Simplification Act, 33-15-321 — 33-15-329
Limited benefit disability insurance, 15-30-129, 15-31-132, 33-22-1201 — 33-22-1205
Long-term care insurance, Title 33, chapter 22, part 11
Medicare supplement insurance policies, Title 33, chapter 22, part 9
Membership contracts, 33-30-101
  adopted children, coverage, 33-30-1016
  discrimination in terms and conditions prohibited, 33-1-502, 33-30-306, 49-2-309
  filing fee, 33-30-204
  forms, 33-30-301
  misrepresentations, 33-30-305
  public medical assistance, benefits for persons eligible for, 33-30-1002

HEALTH SERVICE CORPORATIONS (Continued)
Membership contracts (Continued)

- rescission, right of, 33-30-1005
- state institutions, services received in — provisions for, 33-30-1002

Mental illness, treatment — coverage, 33-22-701, 33-22-703, 33-22-1203
Montana Insurance Code, applicability of provisions, 33-1-102, 33-30-102
Newborn infant coverage, 33-22-1203, 33-30-1001
Nonliability for injuries caused by contractees, 33-30-304
Notices

- insurance producer
  - appointee, 33-30-312
  - license suspension or revocation, 33-30-313
- third-party actions, 33-30-1102
- violations, of, 33-30-111

Plans issued by

- adopted children, coverage, 33-30-1016
- dentists, payments for care or services allowed when, 33-30-1011
- handicapped dependents, continuation of coverage, 33-30-1003, 33-30-1004
- newborn infant coverage, 33-30-1001
- nurse specialists, coverage for services provided by, 33-30-1013
- public medical assistance, coverage of persons eligible for, 33-30-1002
- state institutions, services received in — coverage, 33-30-1002
- subrogation right and third-party actions, 33-30-1101, 33-30-1102
- well-child care, coverage for, 33-30-1014

Preferred provider agreements, Title 33, chapter 22, part 17
Premium tax exemption, 33-22-1205, 33-30-203
Profit organizations as, prohibited, 33-30-104
Prohibited practices, 33-30-305
Public employee group insurance plans, 2-18-702
Public medical assistance, coverage of persons eligible for, 33-30-1002
Purposes, 33-30-103
Rates, 33-1-502, 33-30-306, 33-30-307, 49-2-309
Records, 33-30-105
Reserves, 33-30-201
Small businesses, limited benefit

- disability insurance, 33-22-1201 — 33-22-1205
- tax credit for providing, 15-30-129, 15-31-132

Small employer health insurance, Title 33, chapter 22, part 18
State institutions, services received in — coverage, 33-30-1002
Subrogation right, 33-30-1101, 33-30-1102
Third-party actions for damages, 33-30-1101, 33-30-1102
Utilization reviews, applicability, 33-22-125, 33-32-105
Violations, 33-1-318, 33-30-111 — 33-30-113, 33-30-1002
Well-child, coverage, 33-30-1014

HEARING AID DISPENSERS
Advertising

- requirements, 37-16-301
- restrictions, 37-16-401, 37-16-411

Audiologists, licensing as, 37-16-402, 37-16-405
Bills of sale, requirements, 37-16-303
Board of, 2-15-1850; Title 37, chapter 16, part 2
Business, place of

- licensee in charge, designation, 37-16-301
- permanent, to be, 37-16-301
- record of, 37-16-301
- sale, 37-16-302

HEARING AID DISPENSERS (Continued)

Change of address, notification, 37-16-301
Client records, 37-16-411
Competitors, prohibited practices, 37-16-411
Complaints, 37-16-411
Consumer protection, 37-16-301, 37-16-303
Continuing education requirements, 37-16-407
Conviction of felony, effect, 37-16-411
Costs, 37-16-408
Dispensing fee, 37-16-304, 37-16-414
Exemptions from provisions, 37-16-103
Fines, 37-16-408, 37-16-411, 37-16-413, 37-16-414
Fraudulent practices, 37-16-411
Incompetence, 37-16-411
Injunction when, 37-16-202, 37-16-413
Inspection of facilities, 37-16-202
Investigations, 37-16-301, 37-16-411
Licenses and licensing, Title 37, chapter 16, part 4
  application, 37-16-402, 37-16-405
  continuing education requirements, 37-16-407
  defined, 37-16-102
  discrimination in issuance prohibited, 49-3-204
  examinations, 37-16-403
    preparation, 37-16-202
    subject areas, 37-16-404
    time and place, 37-16-202, 37-16-403
    trainees, 37-16-405
  fees, 37-16-402, 37-16-405, 37-16-407, 37-16-408
  fraudulent practices in obtaining, 37-16-411
  inactive status and reinstatement, 37-16-407
  lack of, unlawful, 37-16-413
  nonresidents, 37-16-406
  qualifications, 37-16-402, 37-16-403
  reciprocity, 37-16-406
  reexamination, 37-16-403
  renewal, 37-16-407
    continuing education requirements, 37-16-407
    trainee licenses, 37-16-405
  required, 37-16-401
  revocation, suspension, or denial, 37-16-202, 37-16-411
    notice and hearing, 37-16-412
  trainee, 37-16-405
Maintenance service, 37-16-303
Medical examination, recommendations for, 37-16-303
Minors, sales to, 37-16-303
Misrepresentation, 37-16-411
Negligence, 37-16-411
Notices, 37-16-301, 37-16-304
Otolaryngologist, recommendation for examination by, 37-16-303
Physician assistants-certified utilization plans, applicability, 37-20-303
Physician, recommendation for examination by, 37-16-303
Policy concerning, 37-16-101
Practice of selling, dispensing, and fitting hearing aids, 37-16-102, 37-16-411
Records, 37-16-301, 37-16-411
Refunds to purchaser, 37-16-304
Related devices, rules defining, 37-16-202

HEARING AID DISPENSERS (Continued)

Restitution to purchaser, 37-16-414
Return of hearing aid or related device, 37-16-304
Sales
  bills of sale, requirements, 37-16-303
  business, place of, 37-16-302
  fraudulent practices, 37-16-411
  license required, 37-16-401
  receipts, contents, 37-16-303
  refunds, receipts for, 37-16-304
  right to cancel, 37-16-303, 37-16-304
Speech-language pathologist and audiologist provisions, applicability, 37-15-103, 37-16-402, 37-16-405
State funds, requirements for aids purchased with, 37-16-303
Subpoenas, 37-16-411
Supervision of trainees, 37-16-405
Trainees, 37-16-102, 37-16-301, 37-16-405
Unethical conduct, 37-16-411
Unlawful practices, penalty, 37-16-413
  effect, 37-16-411
Witnesses, 37-16-411

HERBICIDES
  See **PESTS AND PESTICIDES**, generally; **WEEDS AND WEED CONTROL**

HERD DISTRICTS, Title 81, chapter 4
  See **LIVESTOCK**

HERITAGE OF MONTANA ENTERPRISE ACT, Title 20, chapter 26, part 14
  See **UNIVERSITY SYSTEM, Students**, volunteer program

HIGHER EDUCATION
  See also **COMMUNITY COLLEGE DISTRICTS AND TRUSTEES; POSTSECONDARY EDUCATIONAL INSTITUTIONS; UNIVERSITY SYSTEM; VOCATIONAL-TECHNICAL CENTERS**
Aid to families with dependent children (AFDC), training for recipients — alternatives to program participation, 53-4-708
Commissioner of, 2-15-1506, 20-1-101, 20-2-131; Const., X, 9
  budget provisions, 17-7-102, See **BUDGET AND BUDGETING**
  collective bargaining representative, 39-31-301
  community college district budget forms, approval, 20-15-309
  education, state board of — participation, 20-2-101
  federal higher education programs, commission on — administrative officer, 2-15-1515
  fire prevention, protection, and safety inspections and reports, 50-3-102
  guaranteed student loan advisory council, representation, 2-15-1520
  health inspection, written reports to, 50-1-202
  higher education funds, interentity loan procedures and negative cash balance reports, 17-2-107
  indian students, study of — cooperation with committee on indian affairs, 5-19-108
  postsecondary educational institutions, duties, 20-30-201, 20-30-202, 49-3-204
  proprietary postsecondary educational advisory council, member, 2-15-1804
  public education, board of — member, 2-15-1507; Const., X, 9
  regents of higher education, board of — member and secretary to, 2-15-1505, 20-2-111; Const., X, 9
  research and development project loans, payback agreements, 90-3-524
  resident student financial assistance program, duties, 20-26-104, 20-26-201, 20-26-203
  state library commission, member appointed by, 22-1-101

HIGHER EDUCATION (Continued)
Commissioner of (Continued)

telecommunications network (METNET), 20-9-343, 20-32-101 — 20-32-104
Community service corps program, 90-14-105
advisory council, representation, 90-14-104
Consultant services contracts, state, Title 18, chapter 8, part 1
Definitions, 20-1-101, 20-2-401, 20-26-103, 20-26-1101
Drugs, dangerous — research on misuse and abuse, 50-32-106
Facilities, industrial development revenue bonds to finance, 90-5-101, 90-5-108
Federal Higher Education Programs, Commission on, 2-15-1515, 20-2-401 — 20-2-403
Financial assistance, Title 20, chapter 26
Firearms safety or training courses, 45-8-321
Gasohol, state vehicles — use requirements, 2-17-414
Guaranteed student loan program
access to governmental records, 15-30-303, 20-26-1111
advisory council, 2-15-1520, 20-26-103, 20-26-104, 20-26-201, 20-26-1101, 20-26-1104
collection, 15-30-303, 20-26-1111
corporation to administer, 17-5-1302, 17-5-1312, 20-26-1101, 20-26-1103, 20-26-1104
defaults, 20-26-1105, 20-26-1106, 20-26-1111
definitions, 20-26-1101
dissolution, 20-26-1107
duties of board of regents of higher education, 20-26-1102, 20-26-1103, 20-26-1105, 20-26-1106, 20-26-1111
establishment, 20-26-1102
funds, 20-26-1102, 20-26-1105, 20-26-1107
guaranteed student loan account, 20-26-1105
state obligation, 20-26-1106
state warrants, duplicate — bond not required for issuance, 17-8-306
Legislative intern program, Title 5, chapter 6
Regents of Higher Education, Board of, See **REGENTS OF HIGHER EDUCATION, BOARD OF**
Resident student financial assistance program
administration, 20-26-104, 20-26-201, 20-26-202
citation of Montana resident student financial assistance program, 20-26-101
creation, 20-26-104
definitions, 20-26-103
eligibility, criteria, 20-26-201
funds, 20-26-201, 20-26-203
grants, individual, 20-26-201
purpose, 20-26-102
rules, 20-26-201
Rural physician incentive program, 20-26-1501 — 20-26-1503
Telecommunications network (METNET), 20-9-343, 20-32-101 — 20-32-104
Western Interstate Commission for Higher Education
agreements, 20-25-421, 20-25-803, 20-25-804
commissioners, 20-25-802, 20-25-806
community colleges, agreements with, 20-15-225
rural physician incentive program, 20-26-1502
Western Regional Higher Education Compact, 20-25-801, 20-25-802, 20-25-805

HIGHWAY COMMISSION
See **HIGHWAYS**

HIGHWAY PATROL OFFICERS
See also generally **PEACE OFFICERS; PUBLIC OFFICERS OR EMPLOYEES**
Arrests by, 20-7-504, 44-1-1101 — 44-1-1103, 61-1-305
Bail, acceptance permitted, 44-1-1101 — 44-1-1103
Certification standards, 7-32-303

HIGHWAY PATROL OFFICERS (Continued)

Chief of highway patrol, 44-1-201 — 44-1-203, 44-1-301 — 44-1-303, 44-1-601, 61-1-302
  amateur radio operators, information concerning, 61-3-424
  disciplinary action, 44-1-303, 44-1-705, 44-1-804
  injured officer, salary benefit, 44-1-512 — 44-1-515
  supervisory personnel, 44-1-302, 44-1-402
  vehicle equipment safety commission, as commissioner on, 61-2-204
Civil disorder, prohibited activities and exceptions, 45-8-107 — 45-8-109
Confidential license plates and certificates of registration not permitted, 44-4-201
Creation of Montana highway patrol, 44-1-101
Crime victims reparation benefits, funding through fines and forfeitures to, 53-9-109
Criminal offenses, jurisdiction, 44-1-1001
Dead animals, dumping or leaving upon thoroughfare — enforcement of provisions, 75-10-233
Death of, 7-32-303, 20-25-421
Defined, 61-1-305
Disability, reinstatement following, 19-6-612
Disciplinary action
  appeal, 44-1-901 — 44-1-903
  authority of chief of highway patrol, 44-1-303
  authority of department of justice, 44-1-701
  causes, 44-1-612
  charges, 44-1-701 — 44-1-703, 44-1-802
  crime control, board of — notification in writing to, 7-32-303
  decision, 44-1-802, 44-1-804
  demotion or discharge, 44-1-601, 44-1-602, 44-1-701, 44-1-806, 44-1-808
  exoneration, 44-1-805, 44-1-903
  grievance procedure, 44-1-901, 44-1-903
  hearings, 44-1-701, 44-1-704, 44-1-705; Title 44, chapter 1, part 8
  notice, 44-1-801
  rights of accused, 44-1-803
  suspension, 44-1-701, 44-1-705, 44-1-806, 44-1-807
  waiver of rights, 44-1-910
Drivers' licenses, duties, 7-32-303, 61-5-116, 61-6-112
  identification cards in lieu of, 61-5-309, 61-12-501 — 61-12-504
Equipment, 44-1-105, 44-1-106, 44-1-303
  regulations for vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Expenses of highway patrol, payment, 44-1-501
Firewardens, as, 77-5-104
Forest development roads, jurisdiction, 61-8-111, 61-8-112
Funeral processions, 61-8-380
Garbage, dumping or leaving upon thoroughfare — enforcement of provisions, 75-10-233
Highway property, authority, 44-1-1003
Injury on duty, salary benefit, 44-1-511 — 44-1-518
Jurisdiction generally, 44-1-302; Title 44, chapter 1, part 10
Labor disputes, no authority, 44-1-1002
Litter control, enforcement, 75-10-233
Livestock or livestock products in transit, authority, 44-1-1004
Livestock permits or certificates, exhibit to, 81-3-211, 81-3-231
Maintenance, 44-1-102
Military service, 44-1-404
Motor carriers safety standards, enforcement, 44-1-1005
Motor pool provisions, applicability, 2-17-411
Motor vehicles
  abandoned, duties, 61-12-401, 61-12-402
  accidents, duties, 61-7-108, 61-7-109, 61-7-111, 61-7-114
    forest development roads, jurisdiction, 61-8-111, 61-8-112

HIGHWAY PATROL OFFICERS (Continued)
Motor vehicles (Continued)

  drivers' licenses, 7-32-303, 61-5-116, 61-6-112
  equipment regulations, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
  excess size and weight permits, duties, 61-10-142, 61-10-143
  fines and forfeitures, disposition, 61-12-701
  funeral processions, 61-8-380
  gross vehicle weight, duties, 61-10-109, 61-10-141, 61-10-209, 61-10-213, 61-10-231
  highway patrol, for, 44-1-105, 44-1-106
  illegally stopped, removal, 61-8-705
  inspections, 61-10-142, 61-10-231
  liability insurance cards, exhibition when, 61-6-302
  license plates, original Montana — inspection and certification, 61-3-412
  off-highway vehicle provisions, enforcement, 23-2-806
  registration, 44-1-1003, 61-3-101
  unattended, removal, 61-8-705
  violations, authority, 44-1-1003
  window tinting or sunscreening restrictions, waiver, 61-9-428
9-1-1 emergency telephone system advisory council, recommendations for membership, 10-4-102
Oath, 7-32-303
Obedience to, 61-8-105, 61-8-201, 61-8-344, 61-8-346, 61-8-349, 61-8-354, 61-9-105
Police officers, as, 44-1-1003
Probationary training and service, 7-32-303, 44-1-404, 44-1-516, 44-1-601, 44-1-602
Qualifications, 7-32-303, 44-1-401
Recreational vehicles, weighing exception, 61-10-141
Retirement system, Title 19, chapter 6
Roadblocks, 46-1-202, 46-5-502, 46-5-510
Rules for, 44-1-103, 44-1-612
Salaries
  chief of highway patrol, 44-1-203
  disciplinary action, effect, 44-1-805, 44-1-808, 44-1-903
  injury while on duty, salary benefit, 44-1-511 — 44-1-518
  permanent appointment, upon, 44-1-503
  suspension without, 44-1-701, 44-1-807
School bus two-way radios, permission for operation, 20-10-108
Snowmobiles, duties, 23-2-631, 23-2-641
Special fuel user's permits, issuance or inspection, 15-70-302, 15-70-311
Supervision, 44-1-101, 44-1-102, 44-1-301, 44-1-303
Supervisory personnel, 44-1-302, 44-1-402, 44-1-602, 44-1-611
Term of service, 44-1-611
Traffic regulations, See generally **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Traffic violations, authority, 20-7-504, 44-1-1003, 44-1-1103, 61-11-104
Trees and boughs, coniferous — bill of sale or authorization exhibited on request by, 76-13-601
Uniforms, 44-1-105, 44-1-106, 44-1-303
University system tuition waiver for survivors, 20-25-421

HIGHWAY PATROL OFFICERS' RETIREMENT SYSTEM
Actuarial valuations and investigations, 19-6-802
Adjustment payments, 19-15-101, 19-15-102
Administration, Title 19, chapter 2, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**
Beneficiary, See **Survivor or surviving spouse**
Benefits, See also **Death benefits**
  adjustment payments, 19-15-101, 19-15-102
  alternate payees, 19-2-907
  bankruptcy, exemption, 31-2-106

HIGHWAY PATROL OFFICERS' RETIREMENT SYSTEM (Continued)
Benefits (Continued)

- compensation limit, 19-2-1005
- disability retirement, See **Disability retirement benefits**
- discontinued from service other than for cause, benefit, 19-6-503
- discrimination prohibited, 49-2-309
- distributions, required, 19-2-1007
- early retirement, 19-6-503
- estate of member, paid to, 19-6-505, 19-6-903
- forfeitures, use prohibited, 19-2-1006
- judicial officer as attorney in actions concerning, prohibited, 3-1-601
- payments, minimum and limitations, 19-6-707
- service retirement, See **Service retirement benefits**
- supplemental, 19-6-709, 61-3-321
- survivor, 19-6-901, 19-6-902
- tax exemption when, 19-2-1004
- workers' compensation, effect, 19-2-905

Citation of Highway Patrol Officers' Retirement Act, 19-6-106
"Compensation" defined, 19-6-101
Contributions, See also **Members**
- disposition, 19-6-401
- employer, pick up and payment, 19-6-402
- injured officer's salary benefit, under, 44-1-518
- military service, during, 19-6-801
- out-of-state law enforcement employment, for qualification of service in, 19-6-803
- public service employment, for qualification of service in, 19-6-802
- rate, 19-6-402
- refunds, 19-6-403, 19-6-803
- state, 19-6-401, 19-6-404, 61-5-121

Death, See also **Death benefits**
- disability retirement benefits, effect on, 19-6-601
- service retirement benefits, effect on, 19-6-505

Death benefits, See also **Benefits**
- distributions, required, 19-2-1007
- employment-related death, 19-6-901
- generally, 19-6-902
- survivor, payment in absence, 19-6-903
- survivorship benefit, minimum monthly benefit and limitations, 19-6-707
- workers' compensation benefits, applicability, 19-6-901

Definitions, 19-2-303, 19-6-101, 19-15-102
Dependent child, 19-6-101
- benefits, payment, 19-6-505, 19-6-601, 19-6-901, 19-6-902, 19-6-903

Disability retirement benefits
- computation, 19-6-601
- medical examination requirements, 19-6-612
- minimum monthly benefit and limitations, 19-6-707
- salary benefit, effect, 44-1-514
- service retirement status, change to — when, 19-6-612
- supplemental, 19-6-709

Discontinued from service other than for cause, benefit, 19-6-503
Discrimination prohibited, 49-2-309
Establishment, 19-6-102
Exemption, 19-2-1009
Fine, 19-2-1009
Fraud, 19-2-1009
Funds
- motor vehicle registration fees, allocation, 19-6-709, 61-3-321

HIGHWAY PATROL OFFICERS' RETIREMENT SYSTEM (Continued)
Funds (Continued)

- pension trust fund
  - drivers' license fees, percentage for, 19-6-401, 19-6-404, 61-5-121
  - investment, 17-6-203, 19-6-401
  - payments into, 19-6-401, 19-6-404, 19-6-709, 61-3-321, 61-5-121
  - state contribution, 19-6-401, 19-6-404

Injured officers, 44-1-514, 44-1-518
Marital status, discrimination based on — prohibited, 49-2-309
Members, See also **Contributions**
- inactive vested or nonvested, 19-6-301
- resignation or discharge, 19-6-403
- service credits, See **Service credits**

Membership, 19-6-301
Public Employees' Retirement Board, duties, Title 19, chapter 2, part 4
Public Employees' Retirement Division
- contributions, military service to qualify — determination, 19-6-801
- death benefits, payment, 19-6-902
- service retirement
  - applications to, 19-6-501, 19-6-503
  - benefits, payment, 19-6-505
- supplemental benefit funds, duties, 19-6-709

Public Employees' Retirement System
- administration, Title 19, chapter 2
- retired patrol officer, employment in position covered by — effect, 19-6-707
- service credits transferred to, 19-3-509

Refunds of contributions, 19-6-403, 19-6-803
Retirement systems, other — members' coverage by, effect of employment on eligibility, 19-6-707
Service credits
- firefighters' unified retirement system, transfers to, 19-13-404
- game wardens' retirement system, transfers to, 19-8-902
- military service, 19-6-801, 19-6-803
- minimum monthly benefits, use in calculation, 19-6-707
- municipal police officers' retirement system, transfers to, 19-9-405
- out-of-state law enforcement employment, 19-6-803
- public employees' retirement system, transfers to, 19-3-509
- public service employment, qualification, 19-6-802
- sheriffs' retirement system, transfers to, 19-7-802

Service retirement benefits
- alternate payees, 19-2-907
- amount, 19-6-502, 19-6-503
- death of member, effect, 19-6-505
- disability retirement status, change from — when, 19-6-612
- discontinued from service other than for cause, 19-6-503
- eligibility and application, 19-6-501
- minimum monthly benefit and limitations, 19-6-707, 19-6-709
- payment, 19-6-505
- supplemental, 19-6-709

Sex, discrimination based on — prohibited, 49-2-309
Social security system, separateness, 19-1-101, 19-1-104
Survivor or surviving spouse, 19-6-101
- absence, death payments in, 19-6-903
- benefits, payment, 19-6-505, 19-6-601, 19-6-901, 19-6-902

Survivorship benefit
- alternate payees, 19-2-907
- death from other causes, 19-6-902

HIGHWAY PATROL OFFICERS' RETIREMENT SYSTEM (Continued)
Survivorship benefit (Continued)

  distributions, requirements, 19-2-1007
  employment-related death, 19-6-901
  minimum monthly benefit, 19-6-707
  supplemental, 19-6-709
Workers' compensation benefits, applicability, 19-2-905, 19-6-901

HIGHWAY REVENUE BONDS ACT OF 1983, Title 17, chapter 5, part 9
  See **BONDS AND BOND ISSUES, Highway revenue bonds**

HIGHWAYS
  See also **BRIDGES; COUNTY ROADS AND BRIDGES; STREETS AND ALLEYS**
Abandoned
  animals, 45-8-211
  property, vesting of title, 60-4-209
  vehicles upon, removal, Title 61, chapter 12, part 4
Abandonment or vacation, 60-1-103, 60-2-107, 60-4-208
Accidents upon, Title 61, chapter 7, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Accidents and accident reports**
Acquisition of property
  canals or ditches, highways crossing, 60-4-110
  compensation not required when, 60-4-108
  controlled-access highways or facilities, for, 60-4-111, 60-5-104
  departmental power generally, 60-4-102
  eminent domain, 7-14-101, 60-1-103, 60-4-103, 60-4-104, 70-30-102, 70-30-103, 70-30-302
  fee simple, 60-1-103, 60-4-101, 60-4-102, 60-4-209
  future needs, for, 60-4-106
  irrigation lands, 60-4-109
  ownership records, 77-1-702, 77-1-706
  public, rights acquired by, 60-4-101
  purposes for, 2-17-105, 60-4-103
  railroads, highways crossing, 60-4-110
  relocation assistance, 60-4-103, 60-4-401 — 60-4-403
  service roads, for, 60-4-111
  whole parcel, 60-4-105
Administration, Title 60, chapter 2
Advertising adjacent to, Title 60, chapter 5, part 5; Title 75, chapter 15, part 1
Aircraft landings and takeoffs, 67-1-204
Airports, road construction to, 67-10-211
Animals, abandoning, 45-8-211
Arterial street, 61-1-204, 61-8-310, See also **STREETS AND ALLEYS**
Beautification, Title 75, chapter 10, part 5; Title 75, chapter 15, parts 1 and 2
Bicycles and bicycle trails, See **BICYCLES**
Blackfeet highway, jurisdiction, 2-1-206
Blind persons, rights and privileges, See **BLIND OR VISUALLY DISABLED PERSONS**
Borrow pits, 60-2-208, 87-2-803, 87-3-101, See also **WEEDS AND WEED CONTROL**
Boundaries, as, 70-20-307
Bridges, See **BRIDGES; COUNTY ROADS AND BRIDGES**
Buildings, 60-4-103, See also **Encroachments**
Business district, traffic within, 61-1-408, 61-8-336, 61-8-345
Bus stops, establishment, 61-8-354
Bypasses, 60-2-211
Canals, highways crossing, 60-4-110
Cattle guards, 60-7-103, 81-4-102, See also **CATTLE GUARDS**
Cemetery association property, prohibited through, 35-20-217
Charles M. Russell trail, 60-1-205
Checking stations, See **Ports of entry and checking stations**

HIGHWAYS (Continued)

Cities, responsibilities, See **CITIES AND TOWNS, Highways through**
City streets, See **STREETS AND ALLEYS**
Classification, 60-1-201, 60-1-202
Coal impact areas, revenue and construction, 15-35-108, 90-6-201, 90-6-202, 90-6-205, 90-6-209, 90-6-210
Coal severance tax, allocation of revenue, 15-35-108, 60-3-216
Code, Highway, 60-3-201; Title 60, chapter 1, part 1
Combine harvesters, operation of trucks and trailers — limitations, 61-10-124, 61-10-130
Commission, See **Highway Commission**
Communication facilities, 60-4-103
Coniferous trees and boughs, unlawful transportation on, 76-13-601
Construction, 60-1-103
  bicycle trails, 60-3-303, 60-3-304
  blasting, Title 37, chapter 72
  bridges, See **BRIDGES; COUNTY ROADS AND BRIDGES**
  bypasses, 60-2-211
  coal impact areas and grants or loans, 90-6-201, 90-6-202, 90-6-205, 90-6-209, 90-6-210
  contracts for, See **Contracts**
  costs, 60-2-210, 60-4-403
  employees, applicability of traffic and equipment regulations, 61-8-106, 61-9-106
  federal contracts and agreements, 7-14-4108, 60-3-101
  funding, See **Federal-aid highway funds**; **State funds**
  highways not located entirely within state, 60-2-205
  methods, information and advice, 60-2-206
  parks, state — connecting roads, 23-1-104
  plans for, 60-2-209
  priorities and projects, setting and selecting, 60-2-110, 60-2-201
  reconstruction trust program, 15-35-108, 60-3-216 — 60-3-218
  relocation projects, 60-2-211
  revenue bonds for, Title 17, chapter 5, part 9
  rules for, 60-2-201
  scenic loop highway signs, effect, 60-2-217
  speed limit within construction areas, 61-8-303
  transportation, department of — powers, 60-2-201
  utilities, relocation, 60-4-103, 60-4-401 — 60-4-403
  vehicles for, exemption from motor carrier laws, 69-12-102
  wage rates, Title 18, chapter 2, part 4
Contracts, 18-2-403, 60-2-111 — 60-2-113, See also **PUBLIC CONTRACTS**, generally
  bypasses, for, 60-2-211
  cities and towns, with, 7-14-4108
  contractor's requirements, 37-71-202, 60-2-113
  copies, filing, 60-2-202
  discrimination, 18-2-403, 49-3-207
  federal government, with, 7-14-4108, 60-3-101
  license of contractors, 37-71-202, 49-3-204
  motorist information sign program, requirements, 60-5-509, 60-5-510
  preference for Montana residents, 18-2-403
  transportation, department of — powers, 60-2-201
  wages, prevailing rate, Title 18, chapter 2, part 4
  weight analysis, for, 60-2-207
Controlled-access highways
  arterial streets, 61-1-204, 61-8-310
  commercial enterprises or structures prohibited when, 60-5-110
  definitions, 60-5-102, 61-1-211
  designation, 60-5-103

HIGHWAYS (Continued)
Controlled-access highways (Continued)

- driving restrictions, 61-8-331, 61-8-332, 61-8-720
- facilities, 60-2-209, 60-4-108, 60-5-102, 60-5-104, 60-5-105
- farm entrances, 60-5-106
- frontage roads, 60-5-108
- grade crossings, 60-5-106
- highway authorities, powers, 7-14-101, 60-5-104
- highways not located entirely within state, 60-2-106, 60-2-205
- marking, 60-5-105, 60-5-109
- motorist information signs, “crossroad” defined, 60-5-502
- policy, 60-5-101
- private driveway or roads prohibited, 60-5-111, 61-8-331
- property acquired for, 7-14-101, 60-4-111, 60-5-104
- roads or private driveways prohibited, 60-5-111, 61-8-331
- service roads, 60-4-111, 60-5-104, 60-5-107
- snowmobiles, operation on, See **SNOWMOBILES, Roads and streets, operation on**
- traffic-control devices on, 61-8-203
- use restrictions and signs, 61-8-332
- violations, 60-5-111

Conveyance of property bounded by, 70-20-307
County road improvement districts, Title 7, chapter 14, part 27
County roads, See **COUNTY ROADS AND BRIDGES**
County water and/or sewer district projects, construction across, 7-13-2219
Crossings

- grade, 60-5-106
- marked, to be, 61-8-101
- railroad, See **RAILROADS, Highway crossings**

Crosswalks, 61-1-209, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS; PEDESTRIANS**
Custodian, 60-1-102
Custom combiners, operation of trucks and trailers — limitations, 61-10-124, 61-10-130
Deaf persons, rights and privileges, See **DEAF PERSONS**, generally
Definitions, 60-1-103, 60-2-125

- arterial street, 61-1-204
- control of access provisions, 60-5-102, 61-1-211
- crosswalk, 61-1-209
- highway, 60-1-103, 61-1-201
- intersection, 61-1-212
- laned roadway, 61-1-207
- motorist information sign provisions, 60-5-502
- open range provisions, 60-7-102, 81-4-203, 81-4-501
- public highway, 60-1-103, 61-1-202, 69-12-101
- roadway, 61-1-206
- state funds, apportionment provisions, 60-3-206, 60-3-211
- through highway, 61-1-210
- utility facilities, relocation provisions, 60-4-401

Destructive device, possession — offense of, 45-8-334
Ditches, highways crossing, 60-4-110
Divided, driving on, 61-8-330
Division of, 2-15-2501, 2-15-2502, 60-1-103
Drainage districts

- benefits of construction, assessment of county for, 85-8-342
- location of drains, 85-8-365

Drainage systems, 60-4-103, 85-8-365
Easements, See **Rights-of-way**
Electronic funds transfer terminal placement, 32-6-102

HIGHWAYS (Continued)

Emergency maintenance service agreements, interstate, 60-2-213
Encroachments
  impoundment, 7-1-4124
  railroad crossings, extended obstruction on — effect of provisions, 69-14-626
  removal, 60-6-101 — 60-6-105
Entering from private road, driveway, or public approach ramp, 61-8-343
Exchange of property for, See **Acquisition of property; Sale of property**
Facilities, 60-1-101
Farewell signs, 60-2-218, 60-2-219
Farm entrances, 60-5-106
Federal-aid highway funds, 60-2-125, 60-3-101
  allocation, 60-2-126, 60-2-127, 60-2-129, 60-3-206, 60-3-211, 60-3-219
  apportionment, 60-3-205, 60-3-206, 60-3-211, 60-3-217
  coal impact areas, for, 90-6-205, 90-6-210
  gross weight provisions, maximum — effect, 61-10-107, 61-10-110
  motorist information sign program, restrictions or conflicts, 60-5-526, 60-5-527
  railroad crossings, prioritization, 60-2-121
  safety construction program funds, 60-7-103
  speed limit as condition for, 61-8-304, 61-8-305
  state funds, interim apportionment, 60-3-212
Federal-aid highways
  abandonment, 60-2-107, 60-4-208
  classification, 60-1-201
  controlled-access, See **Controlled-access highways**
  custodian, 60-1-102
  definitions, 60-1-103
  funds for, See **Federal-aid highway funds; State funds**
  highways not located entirely within state, 60-2-106, 60-2-205
  parking regulations, 61-8-355
  revenue bonds for projects, Title 17, chapter 5, part 9
  rights-of-way along, See **Rights-of-way**
  speed limit, 61-8-304, 61-8-305, 61-8-310, 61-8-312
  truck-trailer special combinations, operation on, 61-10-124, 61-8-312
  urbanized areas, speed limit, 61-8-305
  utilities, relocation, 60-4-103, 60-4-401 — 60-4-403
Federal-aid interstate system, primary system, or secondary system, See **Federal-aid highways**
Federal law, assent to, 60-3-101
Fencing, See **Encroachments; Livestock**, open range
Ferries and wharves, See FERRIES AND WHARVES
Financial districts, 60-2-129, 60-3-205, 60-3-219
Fire hazard reduction along right-of-way, 76-13-401, 76-13-403, 76-13-407, 76-13-410
Flag persons or vehicles, See MOTOR VEHICLES AND TRAFFIC REGULATIONS
Flood control projects affecting, Title 76, chapter 5, part 11, See FLOODS, **Control projects**
Footpaths and bicycle trails, Title 60, chapter 3, part 3
Forests, roads within, See FORESTS AND FORESTRY, **Roads within**
Frontage roads, 60-5-108
Funds, distribution and apportionment, See **Federal-aid highway funds; State funds**
Funeral processions, 61-8-380 — 61-8-384, See also MOTOR VEHICLES AND TRAFFIC REGULATIONS
Gasoline taxes, allocation of revenue, 15-70-101, 15-70-102, 17-5-507, 60-3-201, 60-3-202
Good Roads Day, 60-1-104
Grade crossings, 60-5-106

HIGHWAYS (Continued)

Gross vehicle weight fees, allocation, 61-10-226, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Hay cropping from seeding along, 60-2-208
Highway authorities, 60-1-103, 60-5-102
  controlled-access highways or facilities, 7-14-101, 60-5-104 — 60-5-107, 60-5-111
  property acquired by, 7-14-101, 60-4-111, 60-5-104
Highway Commission, 2-15-2502, 60-1-103, 61-1-303
  abandonment or vacation of highways, 60-2-107, 60-4-208
  bond issues
    interest rate, nonapplicability, 17-5-101
    validation, Title 17, chapter 5, part 2
  coal impact areas, approval of expenditures, 90-6-210
  contracts, requirements, 7-14-4108, 37-71-202, 60-2-111 — 60-2-113, 60-2-202, 60-3-303
  controlled-access highways, duties, 60-2-209, 60-5-103, 60-5-106, 60-5-107
  designation of highways, 60-1-201, 60-2-106, 60-2-126, 60-2-128, 60-3-201, 60-5-103
  districts, 2-15-2502, 60-3-219
  federal-aid highway funds, allocation, 60-2-127, 60-2-129, 60-3-219
  federal-aid interstate, primary, or secondary systems — duties, 60-1-103
  fee simple interest, order for abandonment, 60-4-209
  footpaths and bicycle trails, Title 60, chapter 3, part 3
  hearings, 60-2-121, 61-10-143
  improvement, designation of highways not located entirely within state subject to, 60-2-106
  motor vehicles
    excess size and weight permits, confiscation, 61-10-143
    fleet vehicles, place for registration, 61-3-712
    hearings, 61-10-143
    snow-removal equipment, lighting standards and specifications, 61-9-228
    speed limits, alteration, 61-8-303, 61-8-309 — 61-8-311, 61-8-313
  national highway system, duties, 60-2-110, 60-2-125 — 60-2-127
  outdoor advertising regulations, Title 75, chapter 15, part 1
  primary highway system, duties, 60-2-110, 60-2-125 — 60-2-127
  public highways, duties, 60-2-126, 60-2-128
  railroad crossing expenditures, prioritization, 60-2-121
  records, 60-2-202
  rules, 2-15-2502, 60-2-112, 60-2-121
  scenic loop highways, 60-2-217
  secondary highway system, duties, 60-2-110, 60-2-125 — 60-2-127
  state highways, duties, 60-2-110, 60-2-126, 60-2-127
  state maintenance system, designation of highways for, 60-2-128
  sufficiency levels for apportionment of funds, designation, 60-3-205
  urban highway system, duties, 60-2-110, 60-2-125 — 60-2-127
Highways not located entirely within state, 60-2-106, 60-2-205
Hunting
  from or on, unlawful and exception, 61-8-369, 87-1-102, 87-2-803, 87-3-101
  use of motor vehicles, restrictions, 87-2-803, 87-3-125
  waterfowl, allowed when, 87-1-227
Improvements, 60-2-201, 60-2-206
  highways not located entirely within state, designation for, 60-2-106, 60-2-205
Indian historical markers, 60-2-222 — 60-2-224
Information sites, 60-4-103, See also **Motorist information signs**; **Signs**
Integrated system, 60-1-102
Intersections, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Interstate agreements for tax and fee collection and port operation, 60-2-311
Interstate emergency maintenance service agreements, 60-2-213

HIGHWAYS (Continued)

Interstate highways, See **Controlled-access highways; Federal-aid highways**
Irrigation district right-of-way, 85-7-1909
Irrigation land acquired for, 60-4-109
Junkyards adjacent to, Title 75, chapter 15, part 2
Landscape architects, Title 37, chapter 66
Legislative findings, policy, and intent, 60-1-101, 60-1-102, 60-5-101
Lewis and Clark highway, 60-1-202
Lighting districts, Title 7, chapter 12, part 43
Littering prohibited, 61-8-365, 61-8-370, 75-10-212, 75-10-213, 75-10-233, See also **LITTERING AND LITTER CONTROL**
Livestock
  cattle guards, 60-7-103, 81-4-102, See also **CATTLE GUARDS**
  flagmen escorts, 60-7-204
  grazing on highway unlawful and exclusions, 60-7-201 — 60-7-203
  herding on highways, 60-7-202, 60-7-204, 60-7-205
  lanes or trails for, 60-4-103
  open range, 60-7-101
    definitions, 60-7-102, 81-4-203, 81-4-501
    fencing right-of-way through, 60-2-208, 60-7-103
    grazing adjacent to, 60-7-202
    stock gates or passes, 60-7-103
  running at large, Title 81, chapter 4, part 2
Local authorities
  contracts awarded by, when, 60-2-111
  powers, 61-12-101
  through highways, designation, 61-8-344
  use restrictions, 61-8-332
Mailboxes, placement, 60-6-101, See also **Encroachments**
Maintenance, 60-1-103, 60-2-203, 60-3-217, 60-3-218
  coal impact grants or loans, 90-6-205, 90-6-209
  costs within cities, payment, 60-2-210
  emergency service agreements, interstate, 60-2-213
  farewell signs, 60-2-218
  federal contracts and agreements, 60-3-101
  frontage roads, 60-5-108
  funds for, See **Federal-aid highway funds; State funds**
  highways not located entirely within state, 60-2-205
  local governments, agreements for, 60-2-204, 61-8-203
  methods — investigation, information, and advice, 60-2-206
  mineral slag for road sanding or snow removal, use prohibited when, 60-2-241
  parks, state — connecting roads, 23-1-104
  revenue bonds for, Title 17, chapter 5, part 9
  rules for, 60-2-201
  scenic loop highway signs, effect, 60-2-217
  service districts for, Title 7, chapter 11, part 11
  state system, 60-2-125, 60-2-128, 60-2-204, 60-3-202; Const., VIII, 6
  timber, damages for injury to, 70-16-107, 70-16-108
  transportation, department of — powers, 60-2-201, 60-2-213
  vehicles for, exemption from motor carrier laws, 69-12-102
  welcome signs, 60-2-218
Mansfield Heritage Route, Maureen and Mike, 60-1-204
Marking, See also **Signs**
  methods, 60-2-206
  rules for, 60-2-201
Mausoleum-columbarium property, prohibited through, 35-21-409

HIGHWAYS (Continued)

Military uses, 10-1-602, 10-3-107
Mineral slag for road sanding or snow removal, use prohibited when, 60-2-241
Motor carriers, compensation for use of, 61-4-304, 69-12-101, 69-12-103, 69-12-402, 69-12-421, 69-12-422
Motorist information signs, See also **Signs**
  contracts, 60-5-509, 60-5-510
  costs, 60-5-510
  definitions, 60-5-502
  federal requirements, conformance with, 60-5-505, 60-5-513, 60-5-521, 60-5-526, 60-5-527
  franchises, 60-5-502, 60-5-504, 60-5-505, 60-5-509, 60-5-510
  outdoor advertising provisions, applicability, 60-5-514, 60-5-522, 75-15-111
  program, operation, 60-5-504
  purpose, 60-5-501
  restrictions, 60-5-512, 60-5-513, 60-5-519, 60-5-521, 60-5-522, 60-5-526
  rules, 60-5-503, 60-5-513, 60-5-514, 60-5-519, 60-5-521
  specific information signs, 60-5-502, 60-5-511 — 60-5-514
  tourist-oriented directional signs, 60-5-502, 60-5-519 — 60-5-522
Motor vehicles
  abandoned, removal, Title 61, chapter 12, part 4
  excess size and weight
    fines and forfeited bonds, 61-10-148
    permit fees, allocation, 61-10-126
  funeral processions, 61-8-380 — 61-8-384
  gross vehicle weight fees, allocation, 61-10-226
  hunting from, when, 87-2-803
  new, sales tax proceeds — allocation, 61-3-502
  off-highway vehicles, Title 23, chapter 2, part 8
  secured load requirement, 61-8-370
Mountain highways, driving on, 61-8-361
Mountain ranges, signs identifying, 60-2-217
Multistate Highway Transportation Agreement, 5-11-210, 61-10-1101
National highway system, 60-2-110, 60-2-125 — 60-2-127, 60-3-206, 60-3-217, 60-3-218
New highways, description and plan, 60-2-209, 60-4-108
Newspaper delivery boxes, placement, 60-6-101
Nonresident use conditional, 25-3-601
Noxious weed management, 7-14-2132, 7-22-2101, 7-22-2144, 7-22-2153
Obstructing, See also **Encroachments**
  disorderly conduct, 45-8-101
  public nuisance, 27-30-101, 45-8-111
  securing of load on vehicle required when, 61-8-370
Off-highway vehicles, Title 23, chapter 2, part 8
Offices, 60-4-103
One-way highways, designation, 61-8-327, 61-12-101, See also **Roadways**
Parking on, 7-14-4511, 61-8-353, 61-8-355, 61-8-356, 61-8-719
Parks
  adjoining, 60-4-103
  state, control or jurisdiction, 23-1-102, 23-1-104
Pedestrians, See **PEDESTRIANS**
Pipelines or pipeline construction, 69-13-103
Planning and plans, 60-2-201, 60-2-202
Policy of state, 60-1-102
Ports of entry and checking stations, 60-2-301, 60-2-303, 60-2-311
  airports, near, 67-11-221
  mobile homes, imported — declaration of destination, 15-24-206

HIGHWAYS (Continued)
Ports of entry and checking stations (Continued)

salmonid and nonsalmonid fish and egg provisions, enforcement of provisions regarding, 87-3-224
Primary highway system, 60-2-110, 60-2-125 — 60-2-127, 60-3-205, 60-3-217 — 60-3-219
Private roads, See **COUNTY ROADS AND BRIDGES**
Public highways, 60-1-103, 60-2-126, 60-2-128, 60-2-204
Rail-highway crossings and railroads, See **RAILROADS, Highway crossings; Signaling devices**
Reconstruction trust program, 15-35-108, 60-3-216 — 60-3-218, See also **Construction**
Records, sale of copies, 60-4-206
Recreation
- areas along, 7-16-2105
- tourist-oriented directional signs, 60-5-502, 60-5-522

Relocation, See also **EMINENT DOMAIN, Relocation of condemnees**
- assistance for utilities, 60-4-103, 60-4-401 — 60-4-403
- projects, consent for construction, 60-2-211

Repairs
- coal impact grants or loans, 90-6-205, 90-6-209
- federal contracts and agreements, 60-3-101
- information and advice concerning, 60-2-206
- revenue bonds for, Title 17, chapter 5, part 9
- rules for, 60-2-201
- speed limit in repair areas, 61-8-303
- timber, damages for injury to, 70-16-107, 70-16-108
- transportation, department of — powers, 60-2-201

Rest areas, 60-4-103
Revegetation of rights-of-way and disturbed areas, 7-22-2153
Revenues, 17-5-903, See also **Federal-aid highway funds; State funds**
- bonds, Title 17, chapter 5, parts 5 and 9
- coal severance tax, 15-35-108, 90-6-201, 90-6-202, 90-6-205, 90-6-210
- gasoline license tax, 60-3-201
- limitation, 17-5-503, 17-5-506
- special fuels use tax, from, 60-3-202; Const., VIII, 6

Rights-of-way, 60-1-103
- abandoned vehicles upon, removal, Title 61, chapter 12, part 4
- abandonment, 60-1-103, 60-2-107, 60-4-208
- advertising adjacent to, Title 75, chapter 15, part 1
- controlled-access highways or facilities, for, 60-2-209, 60-4-111
- easements, 60-1-103, 60-4-207
- encroachments, See **Encroachments**
- fencing through open range, 60-2-208, 60-7-103
- fire hazard reduction along, 76-13-401, 76-13-403, 76-13-407, 76-13-410
- flood control or water conservation projects, for, Title 76, chapter 5, part 11, See **FLOODS, Control projects**
- grazing on, 60-7-201 — 60-7-203
- hunting on, 87-2-803, 87-3-101
- irrigation districts, 85-7-1909
- junkyards along, Title 75, chapter 15, part 2
- mailboxes, placement, 60-6-101
- military uses, 10-1-602, 10-3-107
- motorist information signs within, 60-5-511, 60-5-519
- newspaper delivery boxes, placement, 60-6-101
- noxious weed management, 7-14-2132, 7-22-2101, 7-22-2144, 7-22-2153
- public works, installation on, 60-2-201
- revegetation, 7-14-2131, 7-22-2153
- road building materials located within, 60-4-107

HIGHWAYS (Continued)
Rights-of-way (Continued)

- shooting from or across, 87-2-803, 87-3-101
- state lands, on, See **STATE LANDS, Easements**
- water projects, 85-1-208
- weed management, 7-14-2132, 7-22-2101, 7-22-2144, 7-22-2153

Roadbed maintenance and preservation, 60-4-103
Roadblocks, 46-1-202, 46-5-502, 46-5-510
Road building materials, 60-4-103, 60-4-107
Roadways, 61-1-206, See also **COUNTY ROADS AND BRIDGES**

- controlled-access highways, See **Controlled-access highways**
- crosswalks, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS; PEDESTRIANS**
- driving on right side of, exceptions, 61-8-321
- illegally stopped vehicles, removal, 61-8-705
- intersections, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
- laned roadway, 61-1-207, 61-8-328
- one-way, 61-8-324, 61-8-325, 61-8-327, 61-8-605, 61-12-101
- private road or driveway, 61-1-205, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
- right-of-way, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
- unattended vehicles, removal, 61-8-705

Rules, 2-15-2502, 60-2-112, 60-2-121, 60-2-201, 60-3-101, 60-5-503, 60-5-513, 60-5-514, 60-5-519, 60-5-521, 60-6-101, 61-10-130
Sale of property, 60-4-201 — 60-4-203

- abandoned property, reversion for sale, 60-4-209
- deeds and conveyances, execution and contents, 60-4-207
- equipment, 18-6-103
- excess, from whole parcel, 60-4-105
- exchange of interest, 60-4-201
- owner, original — purchase by, 60-4-201, 60-4-204
- personal property, 60-4-206
- private sale when, 60-4-205, 60-4-206

Salmonid and nonsalmonid fish and egg provisions, 87-3-224
Sanding, use of mineral slag prohibited when, 60-2-241
Scenic loop highways, signs identifying, 60-2-217
School safety patrols, 61-8-502
Secondary highway system, 60-2-110, 60-2-125 — 60-2-127, 60-3-206, 60-3-207, 60-3-217, 60-3-218
Seeding along, 7-14-2131, 7-22-2152, 60-2-208
Shooting from or across and exception, 61-8-369, 87-1-102, 87-2-803, 87-3-101
Shops, 60-4-103
Shoulders

- driving on, allowed when, 61-8-311, 61-8-323, 61-9-221
- hay cropping, 60-2-208
- hunting from, 87-2-803, 87-3-101
- maintenance, See **Maintenance**, generally
- parking or stopping on, 61-9-214, 61-9-221, 61-9-412
- pedestrians walking on, 61-8-506
- seeding, 60-2-208
- snowmobiles, operation on, See **SNOWMOBILES, Roads and streets, operation on**

Sidewalks, See **PEDESTRIANS; STREETS AND ALLEYS**
Signs, See also **Encroachments; Marking**

- butte-anaconda cultural heritage area, 60-2-220
- controlled-access highways or facilities, 60-5-105, 60-5-109
- encroachment, See **Encroachments**
- footpaths and bicycle trails, 60-3-302, 60-3-304

HIGHWAYS (Continued)
Signs (Continued)

- indian historical markers, 60-2-222 — 60-2-224
- institutional manufacture of signs, 53-1-301
- livestock areas, for, 60-7-202
- motorist information, Title 60, chapter 5, part 5
- mountain ranges, identifying, 60-2-217
- roadside historical, 15-65-121, 60-2-222 — 60-2-224
- scenic loop highways, identifying, 60-2-217
- vocational-technical centers, indicating routes to, 60-2-216
- welcome and farewell, 60-2-218, 60-2-219

Snowmobiles, operation on, See **SNOWMOBILES, Roads and streets, operation on**
Snow removal, use of mineral slag prohibited when, 60-2-241
Soil survey and mapping program, Title 76, chapter 11, part 2
Specifications, copies, 60-2-202
Speed limits, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
State funds

- allocation, 60-2-126
- apportionment, interim, 60-3-212
- coal impact areas, 15-35-108, 90-6-201, 90-6-202, 90-6-205, 90-6-210
- coal severance tax, allocation of revenue, 15-35-108, 60-3-216
- connecting roads, construction and maintenance, 23-1-104
- farewell signs, for, 60-2-219
- gasoline taxes, allocation of revenue, 15-70-101, 15-70-102, 17-5-507, 60-3-201, 60-3-202; Const., VIII, 6
- maintenance, for, 60-3-202; Const., VIII, 6
- railroad crossings, prioritization, 60-2-121
- reconstruction trust fund program, 15-35-108, 60-3-216 — 60-3-218
- scenic loop highway signs, restriction, 60-2-217
- special fuels use tax proceeds, from, 60-3-202; Const., VIII, 6
- state special revenue account, 61-10-226
  - custom combiner's special permit fees, 61-10-130
  - equipment sale proceeds, 18-6-103
  - excess size and weight
    - fines and forfeited bonds, deposit, 61-10-148
    - permit fees, deposit, 61-10-126
  - gasoline taxes, deposit, 15-70-101, 15-70-102, 15-70-309, 15-70-312, 15-71-104
  - gross vehicle weight license fees, 61-10-226
  - highway patrol expenses, 44-1-501
  - interest and investment earnings, 17-5-911
  - justices' court fines, penalties, and forfeitures, 3-10-601
  - motor fuel excise tax revenue, 7-14-303
  - new motor vehicle sales tax proceeds, 61-3-502
  - outdoor advertising permit fees, 75-15-122
  - rewards paid from, 61-8-204
  - transfers to, 17-5-507
  - weed control program costs, payment, 7-22-2144
- welcome signs, for, 60-2-219

State highways, 60-1-103, 60-2-110, 60-2-125 — 60-2-127

- abandonment, 60-2-107, 60-4-208
- classification, 60-1-201
- county roads, located over, 7-14-2109
- custodian, 60-1-102
- parking regulations, 61-8-355
- revenue bonds for projects, Title 17, chapter 5, part 9
- traffic-control devices, placement on, 61-8-203

HIGHWAYS (Continued)

State lands
  ownership records, 77-1-702, 77-1-706
  permits for stone, gravel, and sand use, 77-3-208
  right-of-way on, See **STATE LANDS, Easements**
Statistics, compilation, 60-2-206
Stopping or standing on, 61-8-353
Storage yards, 60-4-103
Streets, See **STREETS AND ALLEYS**
Subdivision survey and plat
  exemption from requirements, 76-3-209
  plat, filing required when, 60-4-105
Through highways, 61-1-210
  designation, 61-8-344, 61-12-101
  use restrictions, 61-10-128, 61-12-101
  vehicle approaching or entering, 61-8-339, 61-12-101
  vehicle entering, 61-8-341, 61-12-101
Tourist information signs, Title 60, chapter 5, part 5
Traffic-control devices, See **Maintenance**; See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Traffic regulations generally, applicability of laws, 61-8-101, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, generally
Traffic safety program, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Trees and shrubs along, 60-4-103
Urban highway system, 60-2-110, 60-2-125 — 60-2-127, 60-3-211
Urban renewal property or interest for, 7-15-4262
Use, nonapplicability of administrative rules, 2-4-102
Utilities
  lines and facilities, See **UTILITIES, Lines and facilities**
  location along, 35-18-106
  mains, construction by county, 7-13-2101 — 7-13-2104
  relocation of facilities, 60-4-103, 60-4-401 — 60-4-403, See also **EMINENT DOMAIN, Relocation of condemnees**
Vacation, 60-1-103, 60-2-107, 60-4-208
Veterans Memorial Highway, 60-1-203
Vietnam Veterans' Memorial, State — location referenced on maps, 1-1-512
Visually disabled persons as pedestrians, See **BLIND OR VISUALLY DISABLED PERSONS**
Vocational-technical centers, signs indicating routes to, 60-2-216
Water
  drainage systems, 60-4-103, 85-8-365
  projects crossing, 85-1-208
Water conservation activities as protection, Title 76, chapter 5, part 11, See **FLOODS, Control projects**
Weed management, 7-14-2132, 7-22-2101, 7-22-2144, 7-22-2153
Weigh stations, 60-4-103, 61-10-141
Weight on, analysis agreements, 60-2-207, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Gross vehicle weight fees; Size, weight, and load**
Welcome signs, 60-2-218, 60-2-219

HISTORICAL SOCIETY
  See also **ANTIQUITIES**
Acquisitions trust
  deposits, 22-3-107
  establishment, 22-3-113
  funds, use, 22-3-114

HISTORICAL SOCIETY (Continued)

Administration, 22-3-107
Administrative rules and register, copy distributed to, 2-4-313
Allocation, 2-15-1511
Appropriations, nongeneral fund money expenditure priority — exception, 17-2-108
Archives, 22-3-202, 22-3-203, 22-3-221, See also **PUBLIC RECORDS**, **State archives**
Board of trustees
  appointments and qualifications, 2-15-1512, 22-3-104
  assistants, approval of employment, 22-3-108
  compensation, 22-3-105
  composition, 2-15-1512, 22-3-104
  cultural and aesthetic projects advisory committee members, appointment, 2-15-1521
  defined, 22-3-102
  executive committee selected by, 22-3-106
  governance and management of society, 2-15-1511, 22-3-108
  historic records network, duties, 22-3-211
  officers, election, 22-3-107
  powers and duties, 22-3-107, 22-3-211
  rulemaking authority, 22-3-107
  state archivist, approval regarding, 22-3-202
  term of office, 2-15-1512, 22-3-104
  travel expenses, 22-3-105
  war memorabilia, duties, 22-3-221
Budget
  historic records network, operation, 22-3-212
  requests, 2-15-1511
Capitol building artwork, protection and preservation, 5-11-115
Capitol Restoration Commission, Title 5, chapter 17, part 2
Contracts for local management of historic properties, 22-3-602, 22-3-603
Creation, 22-3-101
Cultural and aesthetic projects
  advisory committee members, appointment, 2-15-1521
  grant proposals, rulemaking authority, 22-2-303
Decor, 22-3-110
Deferred revenue, expenditure permitted when, 17-8-107
Definitions, 22-3-102
Director and assistants
  appointment and compensation, 22-3-107
  capitol restoration commission, member, 5-17-202
  functions, 22-3-108
  state archivist, appointment, 22-3-202
Donations, 22-3-107, 22-3-114, 22-3-303, 22-3-602, 22-3-603
Executive committee
  defined, 22-3-102
  selection, 22-3-106
Expenditure of deferred revenue permitted when, 17-8-107
Gifts, 22-3-107, 22-3-303, 22-3-603
Governance, 2-15-1511, 22-3-108
Grants, 22-3-603
Heritage properties, state agency rules regarding, 22-3-424
Historic Preservation Office and officer, See **ANTIQUITIES**
Historic records network
  administration, 22-3-107
  creation and purpose, 22-3-211
  defined, 22-3-102
  funding, 22-3-212

HISTORICAL SOCIETY (Continued)

Historic sites and roadside historical signs, installation or maintenance, 15-65-121
  indian historical markers, 60-2-224
History of Montana, roadside— publication, 22-3-107
Indian historical markers along highways, payment of costs, 60-2-224
Indian Monument and Tribal Flag Circle Advisory Committee, representation, 22-2-602
In-kind payment of estate and inheritance taxes, receiving entity, 72-16-445 — 72-16-450
Investment, 22-3-114
Legislative Council, capitol building artwork — consultation, 5-11-115
Library, historical, 22-3-101 — 22-3-103
  session laws and journals, copies deposited with, 5-11-203
Local management of historic sites and buildings, 22-3-601 — 22-3-603
Lodging facility use tax proceeds, allocation and use, 15-65-121, 60-2-224
Management, 2-15-1511, 22-3-108
Magazine subscription fees, expenditure of deferred revenue from, 17-8-107
Membership, 22-3-107
Museum, historical, 22-3-102, 22-3-103
Natural Resource Data System Advisory Committee, employee appointed to, 2-15-1514
Natural resource information system data source agency, 90-15-102
Offices
  decor, 22-3-110
  location, 22-3-302
Preservation Review Board, See **ANTIQUITIES**
Purpose, 22-3-101
Records management and preservation, See **PUBLIC RECORDS**
Report to governor and legislature, 5-11-210, 22-3-107
Revenues, 17-8-107, 22-3-107, 22-3-111, 22-3-603
Roadside history of Montana, publication, 22-3-107
Rules, 22-3-107
Sales, 17-7-402, 22-3-107, 22-3-111
Seal, 22-3-109
Smoking in museums prohibited, 50-40-105
State agencies, rules regarding heritage properties, 22-3-424
State Records Committee, representation on, 2-15-1013
University system, cooperation with, 22-3-211, See **Historic records network**
Veterans' and Pioneers' Memorial Building
  decor, 22-3-110
  gifts and donations for, 22-3-303
  location, 22-3-301
  use, 22-3-302
War memorabilia, 22-3-221, See also **PUBLIC RECORDS**

HISTORIC PRESERVATION OFFICE AND OFFICER
  See **ANTIQUITIES**

HISTORIC SITES AND BUILDINGS ACT, LOCAL MANAGEMENT OF, Title 22, chapter 3, part 6
  See also **ANTIQUITIES; HISTORICAL SOCIETY**

HIV AND HIV-RELATED CONDITION
  See **DISEASES, AIDS (acquired immunodeficiency syndrome)**

HOISTING ENGINES
Applicability of laws, 50-76-101
Coal mines, in, 50-73-302, 50-73-305, 50-73-306
Emergency operation, 50-76-102, 50-76-103

HOISTING ENGINES (Continued)

Engineers
  boilers and steam engines, licenses — nonapplicability, 50-74-303, 50-76-107
  coal mines, 50-73-302
  hours of employment, 39-4-101
  qualifications, 50-76-103
Exemptions from provisions, 50-76-101
Federal regulation, effect, 50-76-101
Hours of work for engineers, 39-4-101
Inspectors, 50-76-110
Licenses
  application, 50-76-104, 50-76-108
  crane and hoist licenses, 50-76-103, 50-76-110
  denial, 50-76-108
  discrimination in issuance prohibited, 49-3-204
  expiration, 50-76-105
  fee, 50-76-104
  hoisting engine, 50-76-102, 50-76-110
  qualifications, 50-76-103
  renewal, 50-76-105
  required, 50-76-102, 50-76-103
  revocation, 50-76-106
  scope of license, 50-76-107
Minors' operation prohibited, 41-2-106, 41-2-107
Violations, 39-4-101, 50-76-109

HOLIDAYS
Actions in law, 1-1-306, 1-1-307; Title 25, chapter 20, M.R.Civ.P., Rule 6(a); Title 25, chapter 21, M.R.App.P., Rule 21; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 6A; Title 25, chapter 24, M.U.R.J.C.C., Rule 21
Appellate procedure, time — computation, Title 25, chapter 21, M.R.App.P., Rule 21
Banks and trust companies
  emergency closing, effect, 32-1-563, 32-1-565
  federal reserve bank, holidays coincident with, 32-1-563
  legal holidays, 32-1-481, 32-1-565
  liability of bank upon closing, 32-1-565
  mourning, rejoicing, or special observance — day of, 32-1-563
  saturdays
    closing on, 32-1-482, 32-1-483
    interest payable on, 32-1-485
  transactions on, 32-1-482
Cigarette sales, not business day, 16-10-103
Cities and towns
  firefighters' unified retirement system, holiday payments not compensation, 19-13-104, 19-13-604
  police
    days off duty does not include, 7-32-4118
    retirement system, holiday payments not monthly compensation, 19-9-104, 19-9-710
Civil procedure, time — computation, Title 25, chapter 20, M.R.Civ.P., Rule 6(a); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 6; Title 25, chapter 24, M.U.R.J.C.C., Rule 21
Contracts
  performance, effect on time of, 28-3-603
  teachers and specialists, 20-4-201
County offices, open when, 7-4-2211
Courts
  district courts, 3-5-302, 3-5-401

HOLIDAYS (Continued)
Courts (Continued)

  justices' courts, 3-10-102
  process, service of, 3-1-302, 3-5-302
  transaction of business on, 3-1-302, 3-1-303, 3-5-302, 3-5-401, 3-10-102
Dairies and dairy plants, inspections, 81-22-304
Defined, 2-18-601
Detention center, temporary — definition, 44-4-302
Elections, deposit of campaign contributions, 13-37-207
Fireworks, sale dates, 50-37-106
Irrigation districts, board of commissioners — sessions for determination of irrigable areas, 85-7-2107
Legal, enumeration, 1-1-216, See this category generally
  school code, exception, 20-1-307
Mental health facilities
  commitment
    jury trial, 53-21-125
    petition for, hearing, 53-21-122
    posttrial disposition hearing, 53-21-127
  rehospitalization, hearing on petition, 53-21-195
  voluntary admission, detention period, 53-21-111
Public employees
  defined, 2-18-601
  job-sharing positions, 2-18-107
  observance when occurring on day off, 2-18-603
Public weighers, records not open to inspection, 7-21-3106
Retirement systems
  firefighters' unified, holiday payments not compensation, 19-13-104, 19-13-604
  police, holiday payments not monthly compensation, 19-9-104, 19-9-710
Schools, 20-1-305, 20-1-307
  commemorative days, 20-1-306
  teachers or specialists, contracts — requirements, 20-4-201
State liquor stores, closure, 16-2-104
State Tax Appeal Board, not open for business on, 15-2-103
Taxation
  electronic funds transfer, payment by, 15-1-802
  gasoline and vehicle fuels taxes, time of filing, 15-70-103
  payment due on, 15-16-102
Telecommunications services for the handicapped, operation of dual-party relay system, 53-19-307
Unemployment insurance benefits, eligibility, 39-51-2108
University system employees, 20-25-306
Utilities, excavation near underground facilities — requests for information, 69-4-503
Youth court probable cause hearings
  detention in jail or adult detention facility while awaiting, time limitation, 41-5-311
  holding, time for, 41-5-303

HOME ARREST
  See **SENTENCING**

HOME HEALTH CARE
Agencies, 50-5-101, 50-5-301, See also **HEALTH CARE FACILITIES**, generally
  living wills, form of reliable documentation adopted by, 50-9-102
Aging, area councils on — coordination, 52-3-101
Defined, 33-22-1001
Health maintenance organizations, coverage for, 33-31-301
Hospices, standards, 50-5-210
Hospital services, 50-5-301

HOME HEALTH CARE (Continued)

Insurance
- disability
  - applicability of provisions, 33-22-1003
  - comprehensive health association, covered expenses, 33-22-1521
  - coverage, availability, 33-22-1002
  - "home health care" defined, 33-22-1001
  - long-term care insurance benefits, 33-22-1115
- information and privacy protection, See **INSURANCE, Information and privacy protection**
- life, long-term care benefits, 33-1-208, 33-20-127, 33-20-128

Licensing, 49-3-204, 50-5-204, 50-8-101, See also **HEALTH CARE FACILITIES**, generally
Medicaid, 53-6-101, See **PUBLIC ASSISTANCE**
Older Montanans, services for, 52-3-504
Payment for services, medicaid, 53-6-101, See **PUBLIC ASSISTANCE**
Respiratory care practitioners, qualified medical direction, 37-28-102
Tax, individual income — credit for qualifying elderly care expenses, 15-30-128
Written plan of care, 33-22-1001

HOME SCHOOLS, 20-5-102, 20-5-109, 20-5-111
- See also **PRIVATE SCHOOLS**, generally

HORSES AND HORSERACING
- See also generally **LIVESTOCK; MEAT AND MEAT PRODUCTS; SPORTS AND SPORTING EVENTS**

Abandoned, Title 81, chapter 4, part 5
Administration of provisions, 23-4-201, 23-4-202, 23-4-204, 23-4-304
Appeal of rulings, 23-4-202
Beer sales, 16-3-103, 16-4-111, 16-4-204, 16-4-301, 16-4-501
Betting, See also **Parimutuel betting**
- board of horseracing, members — prohibited, 2-15-1881
- calcutta pools, applicability of provisions, 23-5-224
- officials, prohibited, 23-4-106
- sports betting, exception, 23-5-112
- unlawful when, 23-4-301

Board of Horseracing, 2-15-1881; Title 23, chapter 4
Bonuses to owners or breeders, 23-4-202, 23-4-204, 23-4-304
Bookmaking unlawful, 23-4-301, 23-5-112
Brands, Title 81, chapter 3, See **LIVESTOCK, Marks and brands**
Breeders, 2-15-1881, 23-4-204
Calcutta pools, applicability of provisions, 23-5-224
Cities and towns, regulation of horses within, 7-14-4102, 7-23-4101
Complaints, 23-4-202
Conflict of interest, 2-15-1881, 23-4-106
Corrupt practices, 23-4-104
County fair appropriation or tax levy not to be used for, 7-21-3411
Cowboy polo, liability of nonprofit organizations sponsoring, 27-1-733
Cutting horse events, liability of nonprofit organizations sponsoring, 27-1-733
Dealers, Title 81, chapter 8, part 2
Definitions, 23-4-101, 23-4-104, 23-4-202, 23-4-304
Disposal plants, Title 81, chapter 9, part 3
Equine activities, liability — nonapplicability, 27-1-728
Estrays, Title 81, chapter 4, part 6
Exclusion of detrimental individuals from races, 23-4-202
Executive secretary, 23-4-104, 23-4-106
Exotic forms of betting, authorization and regulation, 23-4-202, 23-4-204, 23-4-302, 23-4-304

HORSES AND HORSERACING (Continued)

Fair boards, 2-15-1881, 23-4-101, 23-4-201, 23-4-302
Fantasy sports leagues, nonapplicability, 23-5-806
Fees for licenses, 23-4-104, 23-4-201
Financial interest, restrictions, 2-15-1881, 23-4-106
Gambling enterprise, illegal — exception, 23-5-112
Hearings, 23-4-105, 23-4-202
Herd districts, Title 81, chapter 4, part 3
Hides, Title 81, chapter 9, parts 1 and 4
Horseback riding, 60-5-522, 76-5-401
Horse packing and horse shows, liability of nonprofit organizations sponsoring, 27-1-733
Independent racing associations, 23-4-201
Inspection of places where race meets to be held, 23-4-106
Insurance, public liability — licensee required to carry, 23-4-205
Jackpot roping, liability of nonprofit organizations sponsoring, 27-1-733
Jockeys, 23-4-202
Justice, Department of — employees, participation, 23-5-114
Licenses for race meets, 23-4-103 — 23-4-105, 23-4-201, 23-4-202, 49-3-204
Markets, Title 81, chapter 8, part 2
Marks and brands, Title 81, chapter 3, See **LIVESTOCK**
Minors, 23-4-101, 23-4-301
Montana-bred horses, 23-4-202, 23-4-204, 23-4-304
New forms of racing, authorization, 23-4-105
Officials, 23-4-101, 23-4-104, 23-4-106, 23-4-202
O-Mok-See, liability of nonprofit organizations sponsoring, 27-1-733
Owners, 2-15-1881, 23-4-202, 23-4-304
Parimutuel betting, 23-4-101, 23-4-104, 23-4-106, 23-4-202, 23-4-204, 23-4-301 — 23-4-305, 23-5-112
  calcutta pools, applicability of provisions, 23-5-224
Penalty, summary imposition, 23-4-202
Protests, 23-4-202
Purses, 23-4-202, 23-4-204, 23-4-301, 23-4-304
Race meets, 23-4-101, 23-4-104 — 23-4-106, 23-4-201 — 23-4-205, 23-4-301, 23-4-304
  calcutta pools, applicability of provisions, 23-5-224
  financial interest in, board membership prohibited, 2-15-1881
  unlawful when, 45-8-211
Racetracks, 2-15-1881, 23-4-203
Rendering plants, Title 81, chapter 9, part 3
Rodeos and similar events, liability of nonprofit organizations sponsoring, 27-1-733
Roundups, Title 81, chapter 4, part 5
Rules, 23-4-104, 23-4-106, 23-4-201, 23-4-202, 23-4-301
Running at large, Title 81, chapter 4
Simulcast races, 23-4-101, 23-4-104, 23-4-105, 23-4-202 — 23-4-205, 23-4-301, 23-4-302, 23-4-304
Sports betting, exception, 23-5-112
Stewards, 2-18-103, 23-4-101, 23-4-104, 23-4-106, 23-4-202
Stewards, Board of, 23-4-101, 23-4-202
Strays, Title 81, chapter 4, part 6
Streets, regulation upon, 7-14-4102
Taxation
  bets made, on, 23-4-201, 23-4-303, 23-4-304
  horses generally, See **TAXATION, PROPERTY, Livestock**
Tourist-oriented directional signs, business eligibility, 60-5-522
Trail riding, 27-1-733, 76-5-401
Trainers, 2-15-1881, 23-4-104, 23-4-202
Veterinary standards and practices, 23-4-104

HORSES AND HORSERACING (Continued)

Violations, 23-4-201, 23-4-202, 23-4-301

HORTICULTURE
  See **PRODUCE**; See also **FOOD AND FOOD PRODUCTS**

HOSPICES
  See also **HEALTH CARE FACILITIES**
Defined, 50-5-101
Home health care services, insurance coverage, 33-22-1001, See also **HOME HEALTH CARE**
Hospital programs, separate licensing exemption, 50-5-211
Licensing, 50-5-210, 50-5-211
Living wills, form of reliable documentation adopted by, 50-9-102
Medicaid, 53-6-101, See **PUBLIC ASSISTANCE**
Older Montanans, services for, 52-3-504
Rulemaking authority, 50-5-210
Standard of care, 50-5-210

HOSPITAL DISTRICTS
Accountants, employment, 7-34-2122
Actions, question of validity of creation, 7-34-2114
Administrative personnel, employment, 7-34-2122
Admission to facilities, 7-34-2123
Annexation of land, 7-34-2151
  effect, 7-34-2155
  order for, 7-34-2154, 7-34-2155
  petition, 7-34-2152
    decision on, 7-34-2154
    hearing and notice, 7-34-2153
Appeals from orders for withdrawal of land, 7-34-2158
Architects
  employment, 7-34-2122
  state services contracts, Title 18, chapter 8, part 2
Assets
  dissolution of district, disposition, 7-34-2164
  notes, security, 7-34-2131
Audits, 7-34-2122; Title 2, chapter 7, part 5
Board of trustees
  appointment when, 7-34-2117, 7-34-2121
  budget, 7-34-2132
  candidates for office, 7-34-2117
  clerk, appointment, 7-34-2119, 7-34-2121
  compensation, 7-34-2120
  dissolution of district, duties, 7-34-2164
  election, 7-34-2115
    conduct, 7-34-2117
    first board, 7-34-2116
  legal assistance, 7-4-2711, 7-34-2115, 7-34-2122
  notes, issuance, 7-34-2131
  number, 7-34-2115
  organization, 7-34-2119
  powers, 7-34-2122
  rates for services and facilities set by, 7-34-2123
  tax levy, certification of amount, 7-34-2132 — 7-34-2134
  term of office, 7-34-2118
  vacancies, 7-34-2121

HOSPITAL DISTRICTS (Continued)
Board of trustees (Continued)

- warrants, issuance, 7-34-2137

Bond issues, 7-34-2122, 7-34-2131
Borrowing, 7-34-2122, 7-34-2131
Boundaries

- annexation of land, alteration by, 7-34-2151
- proposed district, 7-34-2107, 7-34-2110

Budget, 7-34-2131, 7-34-2132, 90-6-323
Buildings and grounds, 7-34-2122
Bylaws, 7-34-2115, 7-34-2119
Capital replacement fund, 7-34-2138
Charges for services and facilities, 7-34-2122, 7-34-2123
Contracts, 7-34-2122; Title 18, chapter 8, part 2
County Commissioners, Board of — duties, See **COUNTY COMMISSIONERS, BOARD OF**
County merger, effect, 7-3-144
Creation

- election
  - ballots, 7-34-2112
  - conduct, 7-34-2112
  - resolution for, 7-34-2109, 7-34-2110
  - results, certification, 7-34-2114
  - who may vote, 7-34-2113
- petition
  - affidavit, 7-34-2104
  - details relating to, 7-34-2104
  - filing and certification, 7-34-2105
  - hearing, 7-34-2106, 7-34-2108
    - notice, 7-34-2107
  - presentation to board of county commissioners, 7-34-2106
  - required, 7-34-2103
- validity, 7-34-2114

Definition, 7-34-2102
Discrimination prohibited, 7-34-2123
Dissolution

- effect, 7-34-2164
- order for, 7-34-2163
- petition, 7-34-2161
  - decision on, 7-34-2163
  - hearing and notice, 7-34-2162
- time for, 7-34-2161

Educational benefits for personnel, service agreements, 7-34-2122
Elections

- campaign practices exceptions, 13-37-206
- creation of district, See **Creation**
- tax levy, additional, 7-34-2135, 7-34-2136
- trustees, See **Board of trustees**

Engineers

- employment, 7-34-2122
- state services contracts, Title 18, chapter 8, part 2

Equipment, 7-34-2138
Federal funds, 7-34-2131
Financial reports, Title 2, chapter 7, part 5
Gifts, 7-34-2122
Hard-rock mining impact, See **MINES AND MINING**, **Metal mines impact areas**

HOSPITAL DISTRICTS (Continued)

Hearings
    annexation of land, 7-34-2153
    creation of district, 7-34-2106 — 7-34-2108
    dissolution of district, 7-34-2162
    withdrawal of land, 7-34-2157
Indebtedness
    dissolution of district, settlement, 7-34-2164
    withdrawal of land, subject to existing, 7-34-2160
Indigents, services to, 7-34-2123
Insurance, liability, 7-34-2122
Land surveying services contracts, Title 18, chapter 8, part 2
Lease of facilities or equipment, 7-34-2122
Legal counsel, 7-4-2711, 7-34-2115, 7-34-2122
Liability insurance, 7-34-2122
Lower income, persons of — services to, 7-34-2123
Merger of counties, effect, 7-3-144
Mortgage to secure notes, 7-34-2131
Notes, issuance, 7-34-2122, 7-34-2131
Notices
    hearings
        annexation of land, 7-34-2153
        creation of district, 7-34-2107
        dissolution of district, 7-34-2162
        withdrawal of land, 7-34-2157
    tax levy, additional — election, 7-34-2135
Nursing personnel, employment, 7-34-2122
Obligations, payment upon dissolution of district, 7-34-2163, 7-34-2164
Personnel
    educational benefits, 7-34-2122
    employment, 7-34-2122
Petitions
    annexation, for, 7-34-2152 — 7-34-2154
    board of trustees, nomination petitions, 7-34-2117
    creation, for, See **Creation**
    dissolution, for, 7-34-2161 — 7-34-2163
    withdrawal of land, for, 7-34-2156 — 7-34-2158
Pledge of taxes and revenue, 7-34-2131
Powers, 7-34-2122
Property, 7-34-2122, 7-34-2138
Protests
    annexation of land, 7-34-2153
    withdrawal of land, 7-34-2157, 7-34-2158
Purpose of provisions, 7-34-2101
Rates for services and facilities, 7-34-2122, 7-34-2123
Replacement of property, facilities, or equipment, 7-34-2138
Reports, 7-34-2122; Title 2, chapter 7, part 5
Rules, 7-34-2122
Sale of facilities or equipment, 7-34-2122
Security interest to secure notes, 7-34-2131
Tax levy
    additional, 7-34-2131, 7-34-2134
        approval, 7-34-2136
        election required, 7-34-2135
    annexation of land, effect, 7-34-2155
    authorization, 7-34-2122, 7-34-2133, 7-34-2134

HOSPITAL DISTRICTS (Continued)
Tax levy (Continued)

- collection and disposition, 7-34-2136, 7-34-2137
- limitation, 7-34-2133
- notes, payment, 7-34-2131

Territory, 7-34-2111
Treasurer, ex officio, 7-34-2137
Trustees, See **Board of trustees**
Warrants, 7-34-2137
- investments in, 7-6-2701

Withdrawal of land
- effective date, 7-34-2159
- indebtedness, existing — subject to, 7-34-2160
- order for, review and appeal from, 7-34-2158
- petition, 7-34-2156
  - decision on, 7-34-2158
  - hearing, 7-34-2157

HOSPITALS AND RELATED FACILITIES, Title 50, chapter 5
- See **HEALTH CARE FACILITIES**

HOTELS AND LODGING ESTABLISHMENTS
Administration of provisions, funding, 50-51-110
Agisters' liens, Title 71, chapter 3, part 12, See **LIENS**
Alcoholic beverages, restrictions, 16-3-105, 16-3-305, 16-3-306
Baggage, See **Property of guests**
Bingo games, live — tax and permit fee exemption for retirement home when, 23-5-406
Blind persons, rights concerning, See **BLIND OR VISUALLY DISABLED PERSONS**
"Boardinghouse" defined, 50-51-102
Construction standards, 50-51-103
Cooperation between governmental agencies for regulation, 50-51-104
Costs and expenses, recovery when, 50-51-401
Counties, investigation costs and expenses — recovery when, 50-51-403
County attorney, prosecution of violations, 50-51-105
Criminal charges, 50-51-106, See also **Violations**
Definitions, 50-51-102
Destructive device, possession — offense of, 45-8-334
Discriminatory practices, See **DISCRIMINATION**, **Public accommodations**
Energy emergencies, effect, 90-4-307
Enforcement of provisions, See also **Violations**
- cancellation of license, by, 50-51-209, See **Licensing**
- costs and expenses, recovery, 50-51-403
- county attorney, authority, 50-51-105
- department of health and environmental sciences, authority, 50-51-103
- funding, 50-51-303
- injunction, 50-51-401, 50-51-402
- inspections, 50-51-101, See **Inspections**
- investigations, 50-51-107

Fines for violations, 50-51-106
Fire
- property loss or damage by, 70-6-503 — 70-6-505
- safety regulation, 50-51-103, 50-61-103, See **FIRES AND FIRE PROTECTION**, generally

Funding of inspection and enforcement functions, 50-51-303
Furnishings, 50-51-103
Game animals or birds, possession and sale for commercial purposes, 87-4-701 — 87-4-705
Grizzly bears or parts, sale for commercial purposes prohibited, 87-4-702
Health, protection as purpose of regulation, 50-51-101

HOTELS AND LODGING ESTABLISHMENTS (Continued)

Housekeeping, 50-51-103
Injunction, 50-51-401, 50-51-402
Inspections
  access to premises, 50-51-302
  authority, 50-51-301, 50-51-302
  funding, 50-51-303
  joint inspections with other agencies, 50-8-101, 50-8-102, 50-8-105
  purpose, 50-51-101
Investigations
  access to premises, 50-51-302
  authority, 50-51-301, 50-51-302
  costs and expenses, recovery, 50-51-403
  license violations, 50-51-209
  nursing services, complaint regarding provision, 50-51-107
Keno games, live — tax and permit fee exemption for retirement home when, 23-5-406
Landlord-tenant provisions, applicability, 70-24-104
Licensing
  application, 50-51-202, 50-51-204
  cancellation, 50-51-209 — 50-51-213
  correction, plan of, 50-51-210
  denial, 50-51-211, 50-51-212, 50-51-214, 50-51-215
  destruction of license by department of health and environmental sciences, 50-51-213
  discrimination in issuance prohibited, 49-3-204
  expiration, 50-51-207
  fees, 50-51-204, 50-51-205
  hearings on cancellation or denial, 50-51-211, 50-51-215
  list of licensees to department of health and environmental sciences, 50-51-208
  local health officers, refusal by, 50-51-214, 50-51-215
  multiple-type establishments, 50-51-201, 50-51-212, 50-51-213
  nontransferable, 50-51-206
  one-step licensing required, 50-8-101, 50-8-102
  renewal, 50-51-203, 50-51-204
  required, 50-51-201
  separate licenses for each establishment, 50-51-201
  validation by local health officers, 50-2-118, 50-51-214
Liens of
  agisters, Title 71, chapter 3, part 12, See **LIENS**
  hotel, Title 71, chapter 3, part 14, See **LIENS**
Local health officers, authority, See **HEALTH OFFICERS, LOCAL**
Long-term care facility, exclusion as, 50-5-101, 50-5-301, 50-51-107
Managers, resident — minimum wage and overtime compensation exclusions, 39-3-406
Merchants, transient retail — premises for, See **TRANSIENT RETAIL MERCHANTS**, generally
Milk retailers, as, 81-23-101, See **DAIRIES AND DAIRY PRODUCTS**, **Milk price control**, generally
"Motel" defined, 50-51-102
Motorist information signs, Title 60, chapter 5, part 5, See **HIGHWAYS**
Nursing services, provision prohibited, 50-5-101, 50-51-107
Offenses, See **Violations**
One-step licensing of facilities required, 50-8-101, 50-8-102
Outbuildings, guests' property stored in, 70-6-505
Parks, within, 69-14-559
Personal care facilities, exclusion as, 50-51-107
Prohibited practices, See **Violations**

HOTELS AND LODGING ESTABLISHMENTS (Continued)

Property of guests
  liability of innkeeper, 70-6-501 — 70-6-505
  unclaimed, lien for storage and sale, 70-9-501, 70-9-502
Purpose of provisions, 50-51-101
Railroads, maintained by, 69-14-559
Registration and supervision, 50-51-103
Resort tax, 7-6-4461 — 7-6-4469, See also **CITY FINANCE**
"Retirement home" defined, 23-5-406, 50-51-102
"Roominghouse" defined, 50-51-102
Rulemaking authority, 50-8-102, 50-8-105, 50-51-103, 50-51-110, 50-51-301, 50-51-303, 50-51-401 — 50-51-403
Safe for guest's property, 70-6-504
Sanitarians, Title 37, chapter 40
  access to premises, 50-51-302
  enforcement by, 50-51-303
  funding, 50-51-303
  inspections and investigations by, 50-51-301 — 50-51-303
  license application, validation, 50-51-201
  performance standards, 50-51-303
Sanitation, 50-51-103, 81-9-202, 81-21-103
Seats for employees, 39-2-201
Swimming pools or swimming areas operated in conjunction with, license fee, 50-53-203
Taxation
  furniture and fixtures, classification, 15-6-138
  retirement homes, exemption when operated as, 15-6-201
  user's tax, Title 15, chapter 65, part 1
Tips and service charges, tax exemptions, 15-30-111, 15-30-201
"Tourist home" defined, 50-51-102
Transient retail merchants, premises for, See **TRANSIENT RETAIL MERCHANTS**, generally
Violations
  cancellation of license, 50-51-209, 50-51-211
  civil penalties, 50-51-401
  corrections, plan of, 50-51-210
  criminal charges, 50-51-106
  hearing, 50-51-211
  injunctions, 50-51-401, 50-51-402
  investigation costs and expenses, recovery, 50-51-403
  penalties, 50-51-106, 50-51-209, 50-51-401
  prosecution, 50-51-105
  seats for employees, failure to provide, 39-2-201
Visually disabled persons, rights concerning, See **BLIND OR VISUALLY DISABLED PERSONS**
Waste disposal sites
  ground water monitoring requirements, 75-10-203, 75-10-204, 75-10-207
  hazardous or deleterious substance, release — liability, 75-10-715
Water supply, 50-51-103

HOT SPRINGS, 50-53-102
  See generally **GEOTHERMAL RESOURCES AND EXPLORATION; SWIMMING POOLS AND SWIMMING AREAS**

HOUSE MOVERS, 69-4-601 — 69-4-604, 69-12-302, 69-12-331

HOUSING
Authorities, Title 7, chapter 15, parts 21, 44, and 45
Blighted areas, rehabilitation, Title 7, chapter 15, parts 42 and 43
Blind persons, rights, See **BLIND OR VISUALLY DISABLED PERSONS**
Board of Housing, 2-15-1814
  agricultural loan authority program, funds borrowed by, 80-12-216
  investments, board of — commitment agreements with, 17-6-211
  lower income housing development, authority, Title 90, chapter 6, part 1
  reverse annuity mortgage loan program, duties, 90-6-504, 90-6-507
  volume cap bond allocation, 17-5-1312
Building codes, See **BUILDINGS AND BUILDING REGULATIONS**
Cities and towns
  damaged structures, repair, 7-15-4125
  houses and lots, numbering, 7-15-4101
  unsanitary and unsafe private dwellings
    policy and findings, 7-15-4102
    rehabilitation, assistance, 7-15-4103
Commerce, Department of — development functions, 90-1-106, 90-6-112, 90-6-114
Condominiums, Title 70, chapter 23
Deaf persons, rights, See **DEAF PERSONS**
Development
  commerce, department of — functions, 90-1-106
  lower income or retirement, Title 90, chapter 6, part 1
  multifamily, 90-5-101
Discriminatory practices, See **DISCRIMINATION, Housing accommodations**
Emergencies
  disaster victims, temporary housing for, 10-3-103, 10-3-313
  postattack regulation, 10-3-505
Eminent domain, effect, Title 70, chapter 30
Fire protection and safety regulations, 50-61-103
Home arrestees, responsibility, 46-18-1005
Hotels, See **HOTELS AND LODGING ESTABLISHMENTS**
Housetrailers, See **MOBILE HOMES, HOUSETRAILERS, AND TRAILER COURTS**
"Housing accommodation" defined, 49-4-203
Landlord-tenant relations, Title 70, chapters 24 — 26
Lower income, development
  appropriations, 90-6-120
  authorities for, Title 7, chapter 15, parts 21, 44, and 45
  board of housing, duties, Title 90, chapter 6, part 1
  bonds and notes, 90-6-103, 90-6-111, 90-6-112
    allocation, 90-6-127
    cancellation, 90-6-115
    credit of state not pledged, 90-6-123
    impairment, pledge of state, 90-6-126
    liability, 90-6-114
    negotiability, 90-6-117
    pledge to secure, 90-6-112, 90-6-113
    proceeds, 90-6-107, 90-6-119
    public fund deposits, security for, 17-6-103
    purchase, 90-6-115
    sale, 90-6-119
    security, 90-6-103, 90-6-104, 90-6-106, 90-6-112, 90-6-113, 90-6-116, 90-6-119
    signature, 90-6-118
    taxation, 90-6-103, 90-6-111, 90-6-125

HOUSING (Continued)
Lower income, development (Continued)
  bonds and notes (Continued)
    trust, establishment, 72-33-108
    trust indenture to secure, 90-6-116
  capital reserve account, 90-6-107, 90-6-119, 90-6-120
  chronic economic distress, designation of areas, 90-6-127
  citation of housing act of 1975, 90-6-101
  definitions, 90-6-103, 90-6-119
  federal sums in lieu of taxes, 17-3-301 — 17-3-305
  financing of housing developments, 90-6-109
  financing programs, 90-6-108
  funds, 90-6-107
  housing authority enterprise fund, 90-6-104, 90-6-107
  legislative intent, 90-6-102
  purpose, 90-6-102
  real estate broker and salesman provisions, licensing exemption, 37-51-103
  refunding obligations, 90-6-121 — 90-6-123, 90-6-125, 90-6-126
  resettlement projects, 17-3-301 — 17-3-305
  rules, 90-6-104 — 90-6-106, 90-6-110
  sponsor, 90-6-103, 90-6-110
  taxation on revenue obligations, 90-6-125; Title 17, chapter 3, part 3
Manufactured, See MOBILE HOMES, HOUSETRAILERS, AND TRAILER COURTS, generally
Mining operations which jeopardize, 82-4-227, 82-4-402
Mobile homes, See MOBILE HOMES, HOUSETRAILERS, AND TRAILER COURTS
Mortgage loans for elderly persons, Title 90, chapter 6, part 5
Motels, See HOTELS AND LODGING ESTABLISHMENTS
Multifamily, 90-5-101
Rental, See **Lower income, development**; LANDLORD AND TENANT
Resettlement projects, 17-3-301 — 17-3-305
Reverse annuity mortgage loan program, 90-6-504
  citation of reverse annuity mortgage loan act, 90-6-501
  definitions, 90-6-503
  mortgage requirements, 90-6-505
  purpose of provisions, 90-6-502
  repayment or termination of loans, 90-6-506
  rulemaking authority, 90-6-507
  terms and conditions of loans, 90-6-504
Taxes, federal sums in lieu of, 17-3-301 — 17-3-305
Timeshare sales, Title 37, chapter 53
University system, 20-25-302
Urban renewal, Title 7, chapter 15, parts 42 and 43
Visually disabled persons, rights, See BLIND OR VISUALLY DISABLED PERSONS
Weatherization, Title 90, chapter 4, part 2
Work camps, health regulation, 50-52-101

HOUSING AUTHORITIES, COUNTY
Actions, 7-15-2110
Administration, 7-15-2112
Area of operation, 7-15-2111
Audits, Title 2, chapter 7, part 5
Borrowing, 7-15-2120, 7-15-2121
Cities and towns, inclusion, 7-15-2111
Collective bargaining for employees, 39-31-103, See PUBLIC EMPLOYEES, COLLECTIVE BARGAINING
Commissioners
  appointment, 7-15-2105

HOUSING AUTHORITIES, COUNTY (Continued).
Commissioners (Continued)

- incorporation, application for, 7-15-2107
- municipal housing authority provisions, applicability to, 7-15-2112

Contracts, 7-15-2110, 7-15-2120
Conveyances, acceptance, 7-15-2122
County Commissioners, Board of — duties, See **COUNTY COMMISSIONERS, BOARD OF**
Creation
- decision concerning, 7-15-2105
- petition
  - filing, 7-15-2102
  - hearing, 7-15-2104
    - notice, 7-15-2102, 7-15-2103
- regularity, presumption of, 7-15-2110

Definitions, 7-15-2112, 7-15-2124
Dwellings
- private, rehabilitation, 7-15-2120
- rent or sale, 7-15-2122

Elderly persons, eligibility for property tax relief, 15-30-171, 15-30-177
Employees, collective bargaining, 39-31-103, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Farmers of low income, See **Rural housing projects**
Federal
- funds, 7-15-2120
- rentals, payment from — in lieu of taxes, 7-15-2115

Financial reports, Title 2, chapter 7, part 5
Findings, 7-15-2101
Grants, acceptance, 7-15-2120, 7-15-2121
Hearings, 7-15-2102 — 7-15-2104
Incorporation
- application, 7-15-2107
  - effect of filing and recording, 7-15-2109
  - processing, 7-15-2108
- certificate of, 7-15-2108
  - admissibility in evidence, 7-15-2110

Labor organizations, 39-31-103, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Laws controlling, 7-15-2114
Leases, 7-15-2122
Municipal housing authority provisions, applicability, 7-15-2112
Nonprofit, to be, 7-15-2113
Notices, 7-15-2102, 7-15-2103
Operation, 7-15-2112
- area of, 7-15-2111
- rural housing projects, 7-15-2122

Petition for creation, See **Creation**
Policy, 7-15-2101
Private dwellings, rehabilitation, 7-15-2120
Purchase agreements, 7-15-2122
Rentals
- payments from, in lieu of taxes, 7-15-2115
- rates, 7-15-2113

Rural housing projects
- authorization, 7-15-2121
- farmers of low income
  - applications for housing, 7-15-2123

HOUSING AUTHORITIES, COUNTY (Continued)
Rural housing projects (Continued)
 farmers of low income (Continued)
  defined, 7-15-2124
 operation, 7-15-2122
Taxation
 obligations, on, 90-6-125
 property tax relief for the elderly, eligibility, 15-30-171, 15-30-177
 rentals, payments from — in lieu of, 7-15-2115
 rural dwellings, subject to — when, 7-15-2122
Unions for employees, 39-31-103, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Unsafe or unsanitary dwelling accommodations
 criteria for determining, 7-15-2106
 farmers of low income, 7-15-2123, 7-15-2124
 private dwellings, 7-15-2120

HOUSING AUTHORITIES, MUNICIPAL
Actions
 contracts, involving validity or enforcement, 7-15-4412
 creation, presumption of regularity, 7-15-4412
 obligees, remedies, 7-15-4529, 7-15-4530
 sue and be sued, power to, 7-15-4451
Affidavits, 7-15-4458
Agents, 7-15-4439, 7-15-4452, 7-15-4529
Audits, Title 2, chapter 7, part 5
Bequests, acceptance, 7-15-4460
Bondholders, See **Obligees**
Bonds
 borrowing upon, 7-15-4502
 breach or default, 7-15-4527
 contracts, amendment or abrogation, 7-15-4523
 covenants, 7-15-4506, 7-15-4521
  breach or default, 7-15-4527
 defined, 7-15-4402
 details, 7-15-4506
 funds, creation, 7-15-4511
 indebtedness, nature of, 7-15-4503
 interim certificates
  issuance, 7-15-4509
  negotiability, 7-15-4504
 investments, as, 7-15-4505
 issuance, authorization, 7-15-4501, 7-15-4506
 liability, 7-15-4503
 mortgages, secured by, See **Mortgages**
 nature of indebtedness, 7-15-4503
 negotiability, 7-15-4504
 powers generally, 7-15-4521
 property, provisions for management and use, 7-15-4525
 public fund deposits, security for, 17-6-103
 purchase by housing authority, 7-15-4508
 redemption, 7-15-4522
 rents and fees, provisions for determination and use, 7-15-4524
 sale, 7-15-4507
 signatures, validity and sufficiency, 7-15-4510
 taxation, 90-6-125
 trustee, use of, 7-15-4528
Borrowing, 7-15-4466, 7-15-4502

HOUSING AUTHORITIES, MUNICIPAL (Continued)

Boundaries, 7-15-4413
  overlapping authorities, 7-15-4414
Bylaws, 7-15-4451
Collective bargaining for employees, 39-31-103, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Commissioners
  accountability required, 7-15-4530
  appointment, 7-15-4431
    authorization, 7-15-4406
    certificate, 7-15-4431
  bonds, liability, 7-15-4503
  chairman, 7-15-4431, 7-15-4439
  compensation, 7-15-4433
  conduct of business, 7-15-4439
  conflict of interest, written disclosure, 7-15-4435
  contracts and covenants, performance compelled, 7-15-4529
  defined, 7-15-4402
  dissolution of authority, discharge upon, 7-15-4423
  elderly tenants, representation, 7-15-4431
  employees, 7-15-4439
  expenses, 7-15-4433
  handicapped tenants, representation, 7-15-4431
  incorporation
    application for, 7-15-4409
    certificate of, 7-15-4410
  investigations or examinations, conduct, 7-15-4458
  laws, compliance, 7-15-4453
  misconduct in office, 7-15-4435, 7-15-4436
  neglect of duty, 7-15-4436
  quorum, 7-15-4439
  removal, 7-15-4436
    charges, copy to, 7-15-4436, 7-15-4437
    obligee, right to request, 7-15-4437
    proceedings, record, 7-15-4438
  tenant commissioners, 7-15-4431, 7-15-4432
  term of office, 7-15-4432
  vacancies, 7-15-4434
  violations, 7-15-4436, 7-15-4437
  writing
    conflict of interest, disclosure, 7-15-4435
    violations, charges concerning and statement of objection to or nonparticipation in, 7-15-4437
"Community facilities" defined, 7-15-4402, See **Housing projects**
Conflict of interest, 7-15-4435
Contracts
  bonds
    amendment or abrogation, 7-15-4523
    default, money advanced for, 7-15-4527
  conflict of interest, 7-15-4435
  contractors, compliance with labor standards, 7-15-4466
  defaults, 7-15-4466
  defined, 7-15-4402
  execution, 7-15-4451
  federal financial assistance, for, 7-15-4457
  federal government, with, 7-15-4466

HOUSING AUTHORITIES, MUNICIPAL (Continued)
Contracts (Continued)

- laws regarding, compliance, 7-15-4453
- obligees, remedies, 7-15-4529 — 7-15-4531
- title to property, subject to, 7-15-4463
- validity or enforcement, actions involving, 7-15-4412

Cooperation
- governmental units and housing authorities, 7-15-4416, 7-15-4420
- housing authorities, between, 7-15-4415
- planning agencies, with, 7-15-4454

Corporate agents, 7-15-4452
Corporations, formation, 7-15-4452
Counsel, 7-15-4439, 7-15-4458
County housing authorities, applicability of municipal laws, 7-15-2112
Creation
- boundaries, effect of existence of more than one city, 7-15-4413
- decision concerning, 7-15-4406
- election required, 7-15-4408
- petition
  - filing, 7-15-4403, 7-15-4406
  - hearing, 7-15-4405
    - notice, 7-15-4403, 7-15-4404
- presumption of regularity, 7-15-4412

Definitions, 7-15-4402, 7-15-4416
Determinations, availability, 7-15-4459
Devises, acceptance, 7-15-4460
Dissolution
- authorization, 7-15-4422
- resolution for, 7-15-4423

Elderly families
- defined, 7-15-4402
- low-rent housing for, 7-15-4456
  - federal financial assistance, 7-15-4457
- taxation, eligibility for property tax relief, 15-30-171, 15-30-177

Election, 7-15-4408
Eminent domain, 7-15-4460 — 7-15-4462
Employees, 7-15-4439
- collective bargaining, 39-31-103, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
- conflict of interest, written disclosure, 7-15-4435
- contracts and covenants, performance compelled, 7-15-4529
- investigations or examinations, conduct, 7-15-4458

Examinations, 7-15-4458
Federal financial assistance
- grants, 7-15-4466, 7-15-4501
- housing projects, 7-15-4466
- low-rent housing, 7-15-4457

Financial reports, Title 2, chapter 7, part 5
Findings
- housing authorities, availability, 7-15-4459
- legislative, 7-15-4401

Funding
- initial, 7-15-4417, 7-15-4420
- interim, 7-15-4418, 7-15-4420
- loans, 7-15-4419, 7-15-4420

Funds
- bonds, purchase, 7-15-4508

HOUSING AUTHORITIES, MUNICIPAL (Continued)
Funds (Continued)

- investment, 7-15-4502, 7-15-4505
- special, creation, 7-15-4511

Gifts, authority, 7-15-4416, 7-15-4460
Government housing projects, 7-15-4461, 7-15-4466
Grants, 7-15-4416, 7-15-4460, 7-15-4466, 7-15-4501, 7-15-4511
Hearings

- commissioners, removal, 7-15-4436, 7-15-4437
- investigations, 7-15-4458
- petition for creation, 7-15-4405

Housing projects

- additional, limitations when, 7-15-4502, 7-15-4525
- "community facilities" defined, 7-15-4402
- conflict of interest, 7-15-4435
- cooperation regarding, 7-15-4415, 7-15-4416
- covenants regarding, 7-15-4525
- defined, 7-15-4402, 7-15-4416
- disposal, limitations when, 7-15-4502, 7-15-4525
- federal assistance, 7-15-4466
- government financing involved, mortgage powers, 7-15-4526
- government projects, 7-15-4461, 7-15-4466
- income and revenues
  - bonds payable by, 7-15-4501
    - purchase, 7-15-4508
  - funds for, 7-15-4511
  - obligee, collection, 7-15-4527
  - pledge of, 7-15-4501, 7-15-4502, 7-15-4524
    - release, 7-15-4525
  - receiver, collection, 7-15-4530
  - trust indentures, See **Trust indentures**
  - use and disposition, 7-15-4524
- laws, subject to, 7-15-4455
- mortgages, See **Mortgages**
- nonprofit, to be, 7-15-4421
- obligee, to take possession when, 7-15-4527, 7-15-4529
- powers regarding, 7-15-4452, 7-15-4454, 7-15-4466
- receivers, appointment, 7-15-4530
- rentals
  - determination and use, 7-15-4524
  - establishment, 7-15-4421, 7-15-4454, 7-15-4524
  - funds for, 7-15-4511
  - obligee, collection, 7-15-4527
  - pledge of, 7-15-4524
    - release, 7-15-4525
  - receiver, collection, 7-15-4530
  - taxes, payment in lieu of, 7-15-4464

Incorporation

- application, 7-15-4409
  - filing and recording, effect, 7-15-4411
  - processing, 7-15-4410
- certificate of, 7-15-4410, 7-15-4414
  - copy, admissibility in evidence, 7-15-4412

Injunction, 7-15-4529
Investigatory powers, 7-15-4458
Investments

- bonds, as, 7-15-4505

HOUSING AUTHORITIES, MUNICIPAL (Continued)
Investments (Continued)

- funds, 7-15-4502

Judgment, deficiency, 7-15-4532
Labor organizations, 39-31-103, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Laws

- compliance, 7-15-4453
- contracts, regarding — compliance, 7-15-4453
- controlling authorities, 7-15-4440
- housing projects, subject to, 7-15-4455

Leases

- contracts, See **Contracts**, generally
- housing projects, 7-15-4454, 7-15-4466
- obligations incurred under
  - bonds
    - breach or default, 7-15-4527
    - contracts, amendment or abrogation, 7-15-4523
    - redemption, 7-15-4522
    - trustee, use of, 7-15-4528
  - funds, creation, 7-15-4511
  - powers concerning, 7-15-4506, 7-15-4521
  - property, provisions for management and use, 7-15-4525
  - rents, fees, and revenues — provisions for determination and use, 7-15-4524
- obligees, remedies, 7-15-4530
- property, 7-15-4416, 7-15-4460

Legal services, 7-15-4439
Liens

- judgment, deficiency — as, 7-15-4532
- mortgage foreclosures, effect, 7-15-4526
- property, not permitted, 7-15-4525
- rents, fees, and revenues — not permitted, 7-15-4525

Loans

- municipalities, reimbursement, 7-15-4419
- powers regarding, 7-15-4502
- proceeds, funds for, 7-15-4511

Low income, persons of

- defined, 7-15-4402
- dwelling accommodations, provision for, 7-15-4454

Low-rent housing, 7-15-4456, 7-15-4457, See also **Elderly families**
Money deposited by, security, 7-15-4512
Mortgages

- bonds
  - default, money advanced for, 7-15-4527
  - interim certificates, 7-15-4509
  - redemption, terms of, 7-15-4506
  - secured by, 7-15-4501, 7-15-4502, 7-15-4526
- covenants concerning, 7-15-4525
- debts secured by, insurance, 7-15-4460
- default, 7-15-4526
- defined, 7-15-4402
- federal government, required by, 7-15-4466
- foreclosure, 7-15-4463, 7-15-4526, 7-15-4532
- government financing of projects, power regarding, 7-15-4526
- obligees, remedies, 7-15-4530
- powers regarding, 7-15-4521, 7-15-4525, 7-15-4526
- projects, government financing — power regarding, 7-15-4526

HOUSING AUTHORITIES, MUNICIPAL (Continued)
Mortgages (Continued)

- rents, fees, or revenues — pledge by, 7-15-4524
  - release, 7-15-4525

Municipality
- bonds, liability, 7-15-4503
- cooperation, 7-15-4416, 7-15-4454
- defined, 7-15-4402, 7-15-4416
- donations or advances, 7-15-4418
- loans by, reimbursement, 7-15-4419
- plans, recommendations, 7-15-4454
- property belonging to, consent for acquisition, 7-15-4462
- reports to, 7-15-4467

Nonprofit, to be, 7-15-4421
Notices
- bond sales, 7-15-4507
- hearing on petition for creation, 7-15-4403, 7-15-4404

Oaths, administering, 7-15-4458
Obligations
- bonds, See **Bonds**
- investments, 7-15-4505
- leases, incurred under, See **Leases**
- negotiability, 7-15-4504
- temporary, 7-15-4509

Obligees
- bond contracts, amendment or abrogation, 7-15-4523
- bonds and bond covenants, breach or default, 7-15-4527
- commissioners, request for removal, 7-15-4437
- defined, 7-15-4402
- government as, 7-15-4526
- housing projects, to take possession when, 7-15-4527
- mortgages
  - foreclosure powers, 7-15-4526
  - remedies resulting from, 7-15-4530
- remedies
  - cumulative, to be, 7-15-4531
  - general, 7-15-4529
  - limitations, 7-15-4532
  - special, 7-15-4530

Ordinances
- commissioners, authorization to appoint, 7-15-4406
  - effective when, 7-15-4408
- housing projects, subject to, 7-15-4455

Overlapping authorities, 7-15-4414
Payments to local and state entities, 7-15-4465
Perpetual succession, 7-15-4451
Petitions
- creation, for, See **Creation**
- tenant commissioners, nominees, 7-15-4431

Planning agencies, cooperation with, 7-15-4454
Policy, 7-15-4401
Powers
- bonds and lease obligations, 7-15-4521
- exercise, 7-15-4452
  - limitations when, 7-15-4502
- general, 7-15-4451
- housing projects, 7-15-4454, 7-15-4466

HOUSING AUTHORITIES, MUNICIPAL (Continued)
Powers (Continued)
    investigatory, 7-15-4458
    loans, regarding, 7-15-4502
    property, 7-15-4460
Projects, See **Housing projects**
Property
    acquisition, 7-15-4460 — 7-15-4462
    bond provisions regarding, 7-15-4525
    conflict of interest, 7-15-4435
    covenants concerning, 7-15-4525
    disposition, 7-15-4460
    eminent domain, 7-15-4460 — 7-15-4462
    execution, exemption from, 7-15-4532
    housing projects, cooperation regarding, 7-15-4416, 7-15-4454
    insurance, 7-15-4460, 7-15-4525
    investigations, 7-15-4458
    management and use, 7-15-4525
    mortgages, See **Mortgages**
    "real property" defined, 7-15-4402
    title to, 7-15-4463
Real property, See **Property**
Remedies of obligees, See **Obligees**
Rentals, See **Housing projects**
Reports, 7-15-4467; Title 2, chapter 7, part 5
Reserves
    funds, creation, 7-15-4511
    investment, 7-15-4502
Resolutions
    bonds
        interim certificates, details, 7-15-4509
        issuance, authorization, 7-15-4506
        secured by, 7-15-4501
    boundaries, inclusion of other city, 7-15-4413
    cooperation among governmental units and authorities, regarding, 7-15-4420
    creation, petition for — denial, 7-15-4406
    dissolution, for, 7-15-4423
    federal financial assistance, approval, 7-15-4457
    funding, implementation of provisions, 7-15-4420
    implementation of certain provisions, procedure, 7-15-4420
    loans, implementation of provisions, 7-15-4420
    money deposited by, security provisions, 7-15-4512
    overlapping authorities, consent for operation, 7-15-4414
    property, necessity of acquisition, 7-15-4462
    rents, fees, or revenues — pledged by, 7-15-4524
Revenues, See **Housing projects**, income and revenues
Rules, 7-15-4451
Seal, 7-15-4451
Services, cooperation regarding, 7-15-4416, 7-15-4454
Sinking funds, investment, 7-15-4502, 7-15-4505
Subpoenas, issuance, 7-15-4458
Sue and be sued, power to, 7-15-4451
Taxation
    obligations, on, 90-6-125
    payment of rentals in lieu of, 7-15-4464
    property tax relief for the elderly, eligibility, 15-30-171, 15-30-177
Tenant commissioners, 7-15-4431, 7-15-4432

HOUSING AUTHORITIES, MUNICIPAL (Continued)

Trust indentures
- bonds
  - default, money advanced for, 7-15-4527
  - interim certificates, 7-15-4509
  - redemption, terms, 7-15-4506
  - secured by pledge of revenues, 7-15-4501
- defined, 7-15-4402
- federal government, required by, 7-15-4466
- obligees, remedies, 7-15-4530
- rents, fees, or revenues — pledged by, 7-15-4524

Unions for employees, 39-31-103, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Unsafe or unsanitary dwelling accommodations
- determination, 7-15-4406, 7-15-4454
  - availability, 7-15-4459
  - criteria, 7-15-4407
- policy, 7-15-4401

Utilities, property belonging to — acquisition, 7-15-4462
Witnesses, 7-15-4458

HOUSING, BOARD OF
See **HOUSING**

HUCKSTERS, Title 7, chapter 21, part 25
See **PRODUCE**

HUMAN RESOURCE DEVELOPMENT COUNCILS
Audits, 53-10-505
Block grant funding, 53-10-502 — 53-10-504
Eligibility for block grant funding, 53-10-503
Fiscal and program responsibility, 53-10-505
Funding, 53-10-502 — 53-10-504
Montana Conservation Corps programs
- contracts with, 23-1-301
- eligibility requirements, 23-1-312

Plan for use of funds, 53-10-504
Weatherization programs, funds, 90-4-202

HUMAN RIGHTS
See also **OFFENDERS, FORMER; RIGHTS**
Commission for, 2-15-1706; Title 49, chapter 2, part 2, See **DISCRIMINATION**
Human Rights Act, Title 49, chapter 2, See **DISCRIMINATION**

HUMAN SERVICES, Const., XII, 3
See specific subject area

HUMAN SKELETAL REMAINS AND BURIAL SITE PROTECTION
Appeals, 22-3-806
Civil penalty, 22-3-808, 22-3-809
Commercial use of remains or material prohibited when, 22-3-808
Confidentiality, 2-6-101, 22-3-802, 22-3-807
Control, 22-3-805, 22-3-808
Criminal activity, evidence of, 22-3-805
Damages, actions for, 22-3-809
Destruction prohibited, 22-3-808, 22-3-810
Disclosure prohibited
- information, 22-3-808

HUMAN SKELETAL REMAINS AND BURIAL SITE PROTECTION (Continued)
Disclosure prohibited (Continued)

  records, 2-6-101, 22-3-802, 22-3-807
Discovery, report requirements, 22-3-804, 22-3-805
  failure to give notice, 22-3-808
Display of remains or material prohibited when, 22-3-808
Disturbance prohibited, 22-3-808, 22-3-810
Donations, 22-3-804, 22-3-811
Fees, 22-3-804, 22-3-806, 22-3-811
Field review, 22-3-804, 22-3-805, 22-3-811
Fines for violations, 22-3-808
Forensic examination, need for — determination, 22-3-802, 22-3-805, 22-3-806
Grants, 22-3-804, 22-3-811
Human Skeletal Remains and Burial Site Protection Act, Title 22, chapter 3, part 8
Investigation into cause of death, 22-3-805, 22-3-806
Landowners
  agreements, 22-3-804
  discovery of remains, sites, or materials — notices, 22-3-805
  field review, 22-3-805
  legislative intent, 22-3-802
Legislative findings and intent, 22-3-802
Mediation, 22-3-804, 22-3-805
Nondisclosure
  information, 22-3-808
  records, 2-6-101, 22-3-802, 22-3-807
Penalties for violations, 22-3-805, 22-3-808, 22-3-809
Permit for scientific analysis, 22-3-804, 22-3-806
Pilferage prohibited, 22-3-808, 22-3-810
Possession of remains or material prohibited when, 22-3-808
Prohibited acts, 22-3-805, 22-3-806, 22-3-808
Purchase of remains or material prohibited when, 22-3-808
Records, nondisclosure, 2-6-101, 22-3-802, 22-3-807
Registry of burial sites, 22-3-804, 22-3-807
Removal, 22-3-805
Sale of remains or material prohibited when, 22-3-808
Scientific analysis, permit for, 22-3-804, 22-3-806
Short title, 22-3-801
Statistical information, 22-3-807
Transportation of remains or material prohibited when, 22-3-808
Violations, 22-3-805, 22-3-806, 22-3-808

HUNTING
  See **FISH AND WILDLIFE; RIVERS AND STREAMS, Recreational use**

HUSBAND AND WIFE
  See also **MARRIAGE**
Abandonment, liability for support following, 40-2-104
Abduction, suit for, 27-1-515
Abortion, notice to husband, 50-20-107
Abuse of family or household member, See **ABUSE**
Actions
  capacity as parties, 25-5-201, 25-5-202, 40-2-106, 40-2-107, 40-2-109
  judgment, 25-9-102
Acts of spouse, liability for, 40-2-106
Adoption of children, See **ADOPTION OF CHILDREN**
Affinity, relationship by, 1-1-219
Agency, presumption when, 71-3-522
AIDS testing and counseling, 50-16-1003, 50-16-1007

HUSBAND AND WIFE (Continued)

Alcoholism of spouse, rights and responsibilities, See **CHEMICAL DEPENDENCY, Family members**
Alienation of affections, 27-1-601, See also **REMEDIES, Abolished causes of action**
Anatomical gifts, 72-17-214, 72-17-215
Annulment of marriage, See **MARRIAGE, Declaration of invalidity**
Antenuptial contracts, See **MARRIAGE, Contract, antenuptial or postnuptial**
Artificial insemination, determination of paternity as result of, 40-6-106
Autopsy, authorization of spouse, 50-21-103, 50-21-104
Battered spouses, See **ABUSE**
Battering, restraining orders, 27-19-201, 40-4-121 — 40-4-125
Boats, liability of owner for negligent operation by spouse, 23-2-505
Chemical dependency counseling or treatment, order for, 40-4-121
Children, See also **Minors, married**
  custody of when husband and wife living separate, 40-6-222 — 40-6-224
  education expenses, See **PARENT AND CHILD, Education of children**
  former marriage, children of — support liability, 40-6-217
  residence, rules for determining, 1-1-215
  support, See **Support**
Cohabitation, defined, 45-2-101, See **COHABITATION**
Community property, disposition at death, Title 72, chapter 9, part 1, See also **Property**
Conciliation of controversies, Title 40, chapter 3, See **CONCILIATION**
Consent of spouse, agreement to procure unenforceable by specific performance, 27-1-412
Conservator, married person as, 40-2-108
Contracts
  alteration of legal relation, limitation, 40-2-303
  liability of spouse, 40-2-302
  marriage, See **MARRIAGE, Contract** entries
  power to make, 40-2-301
  premarital agreements, Title 40, chapter 2, part 6, See **MARRIAGE**
  prenuptial or postnuptial contracts, 40-2-303, See **MARRIAGE, Contract, antenuptial or postnuptial**
  separation agreement, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE**
  settlement contracts, See **Marriage**
  support, for, 28-2-202, 28-2-204
  trust provisions, applicability, 40-2-301
Conveyance of property between, See **Property**
Corporate director's conflicting interest transactions, 35-1-461 — 35-1-464
Counseling or treatment, order for, 40-4-121
Custodial interference, 45-5-304
Custody of children when husband and wife living separate, 40-6-222 — 40-6-224
Debts of spouses
  contracted before marriage, 40-2-208
  earnings and accumulations, liability when
    married persons, 40-2-205
    separated persons, 40-2-206
  general liability, 40-2-106
  medicaid payments, liability for reimbursement, 53-6-144
  property, individual — liability when, 40-2-209
  wage assignment, consent of spouse required, 31-1-306, 32-5-310
  work and labor, liability when, 40-2-207
Declaration of invalidity, defined, 50-15-101, See **MARRIAGE**
Developmental disability of spouse, rights and responsibilities, Title 53, chapter 20, See **DEVELOPMENTALLY DISABLED PERSONS, Parents, guardian, or next of kin**
Displaced homemakers, Title 39, chapter 7, part 3, See **DISPLACED HOMEMAKERS**
Dissolution of marriage, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE**

HUSBAND AND WIFE (Continued)

Divorce, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE**
Domestic violence, See **ABUSE**
Dwelling, exclusion of spouse from, 40-2-201
Earnings and accumulations
  exemption from debts, how determined, 40-2-210
  liability for debts
    married persons when, 40-2-205
    separated persons when, 40-2-206
  necessary articles, how determined, 40-2-210
  premarital agreements, Title 40, chapter 2, part 6, See **MARRIAGE**
  wage assignment, consent of spouse required, 31-1-306, 32-5-310
  work and labor of married person, 40-2-207
Education of children, Title 40, chapter 6; Title 41, chapter 3; See **PARENT AND CHILD**
Estates and probate, See **ESTATES AND PROBATE**
Family law mediation, Title 40, chapter 4, part 3
Family Policy Act, 40-7-101, 40-7-102
Farm implements dealership ownership, succession, Title 30, chapter 11, part 8
Fiduciary, married person as, 40-2-108
Force, right to use — when, 49-1-103; Const., II, 12
Fraudulent transfers, Title 31, chapter 2, part 3, See **FRAUDULENT TRANSFERS**
Guardianship, See **GUARDIANS AND GUARDIANSHIP**
Handicapped persons, employment preference to spouse, Title 39, chapter 30, See **LABOR AND EMPLOYMENT, Preference to handicapped persons**
HIV-related testing and counseling, 50-16-1003, 50-16-1007
Home, exclusion from — when, 40-2-201
Homesteads, 70-32-301, See **PROPERTY, REAL, Homesteads**
Individual property, See **Property**
Insurance, effectuation, 33-15-401
Interspousal tort immunity, abolishment, 40-2-109
Interstate Family Support Act, Uniform, Title 40, chapter 5, part 1
Inventory of individual property, See **Property**, individual
Joint tenants, husband and wife as, 40-2-105
Judgment for or against married person, 25-9-102
  execution, See **EXECUTION**, **Redemption**, spouse
Judicial Standards Commission, conflict of interest in proceedings, 3-1-1108
Jurors, relationship grounds for challenge, 25-7-223
Legal relation, how altered, 40-2-303
Legal separation, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE, Separation agreement**
Liability for acts or debts of spouse, 40-2-106, 40-2-205 — 40-2-210
  boats, negligent operation, 23-2-505
Liens, construction — contracting owner, 71-3-522
Marital rape, 45-5-503, See also **CRIMES, Sexual offenses**
Marriage, Title 40, chapter 1, See **MARRIAGE**
  contract, obligations, 40-2-101, 40-2-102
  obligations, 40-2-101, 40-2-102
  premarital agreements, Title 40, chapter 2, part 6, See **MARRIAGE**
  presumption, 26-1-602
  settlement contracts, 40-2-311, 40-2-312, 40-2-314, 40-2-315
Mediation, Title 40, chapter 4, part 3, See **FAMILY LAW MEDIATION**
Medicaid payments, spouse's liability for reimbursement, 53-6-144
Medical care for married minors, See **Minors, married**
Mental illness of spouse, rights and responsibilities, Title 53, chapter 21, See **MENTAL ILLNESS OR INCAPACITY, Parents, spouse, or next of kin of respondent**
Military service, educational assistance to spouse when, 20-25-421

HUSBAND AND WIFE (Continued)

Minors, married, See also **Children**
  child abuse, neglect, and dependency — petitions alleging, service and contents, 41-3-401
  contract powers, 41-1-302, See also **MINORS, Contracts**
  marriage settlement contracts, 40-2-311, 40-2-312, 40-2-314, 40-2-315
  medical care
    consent, 41-1-402, 41-1-405, 41-1-406
    financial responsibility, 41-1-404
    information released when, 41-1-403
    spouse, consent for, 41-1-402, 41-1-405, 41-1-406
  parent-child legal relationship termination, guardian ad litem appointed for, 41-3-607
  real property, powers of attorney, 70-15-303
Necessaries
  compensation to third person for support when, 40-2-103
  contracts for, 28-2-202, 28-2-204
  determined how, 40-2-210
  earnings and accumulations liable for, 40-2-205, 40-2-206
  property, chargeable upon — when, 40-2-106
  property, individual — liability, 40-2-209
  separated persons — earnings and accumulations, liability for, 40-2-206
  work and labor of married person, 40-2-207
Nonsupport of spouse, 45-5-621
Obligations, 40-2-101
Organ donation of spouse, 72-17-214, 72-17-215
Parent and child relationship, Title 40, chapter 6; Title 41, chapter 3, See **PARENT AND CHILD**
"Partner" defined, 40-4-121
Paternity, establishment, Title 40, chapter 6, part 1, See **PARENT AND CHILD**
Personal property, See **Property**
Personal representative, married person as, 40-2-108
Power of attorney, 40-2-202, See also **POWER OF ATTORNEY; PROPERTY, REAL, Power of attorney**
Power to act without consent of spouse when, 40-2-108
Pregnancy
  abortion, notice to husband, 50-20-107
  artificial insemination, determination of paternity, 40-6-106
  serological test results, report to husband, 50-19-107
Premarital agreements, Title 40, chapter 2, part 6, See **MARRIAGE**
Prenuptial or postnuptial contracts, 40-2-303, See **MARRIAGE, Contract, antenuptial or postnuptial**
Privileged communications, See **EVIDENCE, Privileges**
Probate matters, See **ESTATES AND PROBATE**
Property
  antenuptial contracts, 40-2-303, See **MARRIAGE, Contract, antenuptial or postnuptial**
  common ownership, 40-4-202
  community property, disposition at death, Title 72, chapter 9, part 1
  conveyance, 40-2-202
    homestead, 70-32-301
    prior to 1900, presumption grantor had no wife, 70-20-316
    transfer certificate, exemption, 15-7-307
  debts, liability
    contracted before marriage, 40-2-208
    spouse's, chargeable upon property when, 40-2-106, 40-2-209
  deeds prior to 1900, presumption grantor had no wife, 70-20-316

HUSBAND AND WIFE (Continued)
Property (Continued)

- dower, See **ESTATES AND PROBATE**
- estates and probate, See **ESTATES AND PROBATE**
- execution, See **EXECUTION**, **Redemption**, spouse
- fee simple title of real property, transfer or conveyance, 40-2-202
- forcible entry and detainer and unlawful detainer, as defendants, 70-27-111
- homesteads, 70-32-301, See **PROPERTY, REAL, Homesteads**
- individual
  - contract liability of spouse, 40-2-301, 40-2-302
    - legal relation, alteration of, 40-2-303
  - debts, exemption from — when, 40-2-210
  - defined, 40-2-202
  - earnings and accumulations
    - exemption from debts when, 40-2-209, 40-2-210
    - liability for debts when, 40-2-205
    - separated persons, 40-2-206
    - work and labor of married person, 40-2-207
  - good faith, 40-2-209
  - inventory
    - acknowledgment and proof, 40-2-203
    - exempted from debts and liabilities when, 40-2-209
    - index, 7-4-2619
    - recording, 7-4-2613
    - recording and effect, 40-2-203, 40-2-204
  - liability for debts, 40-2-206 — 40-2-209
  - necessaries, how determined, 40-2-210
- interest in, when husband and wife separate, 40-2-201
- joint tenancy, 40-2-105
- necessaries chargeable against, when, 40-2-106
- power of attorney, executed when, 40-2-202, See also **PROPERTY, REAL**, **Power of attorney**
- premarital agreements, Title 40, chapter 2, part 6, See **MARRIAGE**
- prenuptial or postnuptial contracts, 40-2-303, See **MARRIAGE**, **Contract, antenuptial or postnuptial**
- redemption, See **EXECUTION**, **Redemption**, spouse
- rights, how governed, 40-2-311
- settlement, 40-2-311, 40-2-312, 40-2-314, 40-2-315, 40-4-202, See **DISSOLUTION OF MARRIAGE**, **Property settlement**
- tenancy in common, 40-2-105, 70-1-314
- title and ownership, how proved, 40-2-203
  - evidence, prima facie, 40-2-204
  - transfer, 40-2-202
- transfer, 40-2-202

Property settlement following dissolution of marriage or separation, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE**
Prostitution, promoting unlawful, 45-5-602, 45-5-603
- testimony against spouse admissible in evidence, 45-5-604

Protection, right to use force, 49-1-103; Const., II, 12
Putative spouse, rights and status, 40-1-404
Rape, marital, 45-5-503, See also **CRIMES**, **Sexual offenses**
Real property, See **Property**
Reconciliation of spouses, Title 40, chapter 3, See **CONCILIATION**
Redemption of property upon execution, See **EXECUTION**, **Redemption**, spouse
Residence, exclusion from — when, 40-2-201

HUSBAND AND WIFE (Continued)

Rights, property — how governed, 40-2-311
Seduction, suit for, 27-1-514
Separate property, See **Property**, individual
Separation agreement, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE, Separation agreement**
Settlements, 40-2-311, 40-2-312, 40-2-314, 40-2-315, See also **MARRIAGE, Premarital agreements**
Sexual offenses, See **CRIMES**
Spouse's children by former marriage, support liability, 40-6-217
Sue and be sued, power to, 25-5-201, 25-5-202, 40-2-106, 40-2-107, 40-2-109
Support, See also **CHILD SUPPORT**
  administrative enforcement, Title 40, chapter 5, part 2, See **CHILD SUPPORT**
  compensation to third person when, 40-2-103
  contracts for, 28-2-202, 28-2-204
  dueling, as damages for, 27-1-223, 27-1-301
  earnings and accumulations, liability for support, 40-2-205 — 40-2-210
  good faith support by other person, 40-2-103
  interstate family support, Title 40, chapter 5, part 1, See **CHILD SUPPORT**
  failure to provide, exception, 40-2-103, 45-5-621
  mutual obligation, 40-2-101, 40-2-102
  prisoners, disposition of earnings for, 46-18-702, 46-18-703
  privilege against nondisclosure, nonapplicability, 40-5-175
  spouse, 40-5-103, 40-5-601
    children of former marriage, support liability, 40-6-217
    duty of support, 40-2-101, 40-2-102
    establishment, applicability, 40-5-158
    jurisdiction, continuing exclusive, 40-5-149, 40-5-150
    not liable when, 40-2-104
Tenants, joint or common — when, 40-2-105
Terminally ill persons, withholding or withdrawal of life-sustaining treatment — consent, 50-9-106
Theft — offender's spouse as victim, no defense, 45-6-303
Torts, intentional, right to sue, 40-2-109
Transfers, fraudulent, Title 31, chapter 2, part 3, See **FRAUDULENT TRANSFERS**
Trustee, married person as, 40-2-108
Utilities, rural cooperatives — as
  members, 35-18-101
  trustees, 35-18-311
Veterans, spouses of
  employment preference, Title 39, chapter 29, See **LABOR AND EMPLOYMENT, Preference to veterans**
  veterans' homes, admittance, 10-2-401, 10-2-403
Wages, See **Earnings and accumulations**
Work and labor of married person, 40-2-207

HYDROELECTRIC FACILITIES
  See **DAMS AND RESERVOIRS; FACILITY SITING; STATE LANDS, Power site leases or licenses; WATER**

I

IMMUNITY
Blood banks, from liability, 50-33-104
Child abuse and neglect, persons investigating or reporting — from liability, 41-3-203
Concealed weapons, permits to carry — liability arising from, 45-8-326
Developmentally disabled persons, abuse — persons making required reports, from liability, 52-3-814
Do not resuscitate identification, participants in withholding or withdrawal of life-sustaining procedures — from liability, 50-10-102
Double jeopardy, Const., II, 25, See **CRIMINAL PROCEDURE, Former prosecutions**
Drug offenses, community service as sentencing alternative — supervisory personnel, 45-9-204
Elder abuse, persons making required reports — from liability, 52-3-814
Emergency medical services personnel, from liability — when, 50-9-204, 50-10-102
Extradition from another state
  from other prosecutions, no immunity, 46-30-405
  service of civil process, 46-30-404
Food, persons donating for free distribution, 27-1-716
Government, See **GOVERNMENT**
Handicapped children, surrogate parent — from liability, 20-7-463
Health care facilities, from liability — when, 50-9-204, 50-10-102, 50-33-103
Indian tribes, coal board grants or loans — waiver of immunity from suit prior to approval, 90-6-209
Insurance
  guaranty association officials, from liability, 33-10-110, 33-10-207
  information and privacy protection, disclosure of information when, 33-19-408
Interspousal tort immunity abolished, 40-2-109
Legislative grant of irrevocable immunity prohibited, Const., II, 31
Living wills, participants in withholding or withdrawal of life-sustaining treatment — from liability, 50-9-204
Mines and mining, surface operations — landowner's immunity from liability, 82-2-306
Physicians
  from liability, when, 37-2-303, 37-2-312, 41-1-407, 50-9-204, 50-10-102, 50-33-103
  incompetence or unprofessional conduct, persons reporting, 37-3-404
Psychiatrists, from liability — when, 41-1-407
Psychologists, from liability — when, 41-1-407
Respiratory care practitioners, from liability when, 37-28-301
School trustees, from liability — when, 20-3-332
Self-incrimination, 46-15-331; Const., II, 25, See **WITNESSES**
Sovereign immunity, Const., II, 18, See **SOVEREIGN IMMUNITY**; See also **CIVIL PROCEDURE, Governmental entities, actions involving; GOVERNMENT, Actions** entries; **Claims against**; **Immunity from liability**; **Liability**
Tissue banks, from liability, 50-33-104
Trusts, proceedings concerning, 72-35-301
Witnesses, See **WITNESSES**

IMMUNIZATIONS
Day-care facilities, requirement, 52-2-735
Developmentally disabled persons in residential facilities, records, 53-20-161
Livestock, 81-2-301 — 81-2-303, 81-2-801
Schools, Title 20, chapter 5, part 4
Well-child care, insurance coverage, 33-22-303, 33-22-512, 33-30-1014

IMPEACHMENT
Evidence
  assigned counsel, false financial statement to obtain, 46-8-111
  credibility of witness, Title 26, chapter 10, M.R.Ev., Rules 607, 608, 609, 806
  judicial record, 26-3-105
  plea of guilty, offer to plead guilty, or plea of nolo contendere — admissibility, Title 26, chapter 10, M.R.Ev., Rule 410
  relevance, subsequent remedial measures, Title 26, chapter 10, M.R.Ev., Rule 407
  testimony, Title 26, chapter 10, M.R.Ev., Rule 607
    depositions, use, Title 25, chapter 20, M.R.Civ.P., Rule 32(a)
  youth court, statements in, 41-5-402
Public officers
  articles of
    answer or objection to, 5-5-419, 5-5-420
    delivery to senate, 5-5-412
    requirements and preparation, 5-5-411
    service upon defendant, 5-5-414, 5-5-415
    written objection, 5-5-419
  causes, Const., V, 13
  chief justice to preside at trial when, 5-5-404
  conviction
    effect, Const., V, 13
    judgment
      finalized, 5-5-423
      nature and effect, 5-5-431; Const., V, 13
      plea, effect, 5-5-420
      pronouncement, 5-5-422
      suspension, effect of, 5-5-432
    majority vote required, 5-5-421; Const., V, 13
  counsel for defendant appointed when, 5-5-418
  court of, See also **COURTS**, generally
    chief justice to preside when, 5-5-404
    contempt, See **CONTEMPT**, generally
    enumerated as
      court of justice, 3-1-101
      court of record, 3-1-102
    jurisdiction, 5-5-403; Const., V, 13
    oath required, 5-5-403, 5-5-416
    officers, 5-5-404
    rules of court, power to make, 3-1-112
    senate as, 3-1-101, 5-5-403; Const., V, 13
    trial, how regulated, 5-5-403; Const., V, 13
  criminal prosecution not barred, 5-5-433, 45-7-401; Const., V, 13
  defendant
    answer or objection to articles, 5-5-419, 5-5-420
    counsel for, 5-5-418
    failure to appear, 5-5-417, 5-5-418
    notice and articles served, 5-5-414, 5-5-415
    plea by, 5-5-419, 5-5-420
    service, how made, 5-5-414, 5-5-415
  hearing, time of, 5-5-414, 5-5-417
  house of Representatives, power vested in, 5-5-402; Const., V, 13
  officers subject to, 5-5-401, 13-37-105; Const., V, 13
  official misconduct, effect on impeachment proceedings, 45-7-401

IMPEACHMENT (Continued)
Public officers (Continued)

- plea, entry and effect, 5-5-419, 5-5-420
- political practices, commissioner of — subject to, 13-37-105
- resolution
  - judgment on conviction, 5-5-422, 5-5-423
  - origination and adoption, 5-5-411
- senate as court of, 3-1-101, 5-5-403; Const., V, 13
- suspension of officer pending trial, 5-5-413
- time, service on defendant, 5-5-414
- trial, 5-5-403; Const., V, 13
  - chief justice to preside when, 5-5-404
  - regulated how, 5-5-403; Const., V, 13
  - suspension of officer pending, 5-5-413
- who may be impeached, 5-5-401, 13-37-105; Const., V, 13

IMPERSONATION
Chiropractors, by, 37-12-321
Communication services, obtaining with intent to defraud — proof, 45-6-306
Electors, of, 13-35-207, 13-35-209, 13-35-210
Engineers, by, 37-67-332
Hearing aid dispensers, by, 37-16-411
Landscape architects, by, 37-66-104
Land surveyors, by, 37-67-332
Offense of impersonating a public servant, 45-7-209
- department of commerce officer, 30-12-503
- private investigators and security patrol officers, 37-60-321
- "public servant" defined, 45-2-101

Physicians and surgeons, by, 37-3-322, 37-3-325
Public assistance, obtaining by, 53-2-107
"Theft" defined, 45-6-301

IMPORTATION PERMIT AND HEALTH CERTIFICATE ACT OF 1981, ANIMAL, Title 81, chapter 2, part 7
- See **LIVESTOCK, Importation**

INALIENABLE RIGHTS, Const., II, 3
- See also **RIGHTS**, generally

INCOME TAX
Generally, Title 15, chapters 30 and 31, See **TAXATION, CORPORATIONS; TAXATION, INDIVIDUAL INCOME**
Local government powers, 7-1-112

INDEMNITY
- See also **GUARANTY; SURETYSHIP AND SURETIES**

Actions, 28-11-315 — 28-11-317
- joinder of claims or remedies, Title 25, chapter 20, M.R.Civ.P., Rule 18(b)
- lease contracts, default — statute of limitations, 30-2A-506

Agents, 28-10-703, 28-11-304
Attachment, indemnification of sheriff by third party, 27-18-602
Bailees, of, 70-6-209, 70-6-210
Bonds
- agisters' liens, required when, 71-3-1203
- building and loan associations, for transfer of shares or savings account, 32-2-212
- county sheriff, 2-9-711
- fireworks displays, 50-37-108

INDEMNITY (Continued)
Bonds (Continued)

- motor vehicles
  - liability insurance, in lieu of, 61-6-301, 61-6-302, 61-6-304
  - secured interests, for, 61-3-208
- natural gas, underground storage — lease requirements, 77-3-505
- power of attorney, statutory — authority, 72-31-232
- private investigators, nonapplicability of provisions, 37-60-105
- securities, 30-8-403, 30-8-405
- state agency money depositories, for, 17-2-202
- warrants, duplicate — issuance requirements, 7-6-4304, 17-8-306
- water conservation revenue bonds, to secure proceeds, 85-1-321

Borrower, by lender, 70-7-111, 70-7-112
Cities and towns, cash deposits as, 7-6-4121
Claim and delivery, indemnification of sheriff by third party, 27-17-309
Community service corps personnel, 90-14-108
Contract, as, 28-11-301
Corporate directors, officers, employees, and agents, 35-1-451 — 35-1-459
Counties — lost bonds, warrants, or coupons, 7-7-2104
County sheriff, liability for sale of livestock, 76-16-316
Defense, 28-11-315, 28-11-316
Defined, 28-11-301
Depositaries, of, 70-6-209, 70-6-210
Detention centers, private party operation, 7-32-2232
Ditch company employees, 27-1-731
Documents of title, See **DOCUMENTS OF TITLE**
Employees, 39-2-701
Extent, 28-11-304, 28-11-305
Good faith, requirements for defense, 28-11-315, 28-11-316
Guarantor, 28-11-211, 28-11-215
Hazardous or deleterious substance, release — claims for indemnification, 75-10-718
Health maintenance organization contracts, 33-31-221, 33-31-301
Industrial accidents, 39-2-701, See **WORKERS' COMPENSATION**, **Benefits**, indemnity
Injunction, indemnification of party upon dissolution, 27-19-405
Insurance

- county officers, for, 7-4-2111
- credit disability to provide, See **INSURANCE, LIFE**, **Credit life and disability**
- disability to provide, See **INSURANCE, DISABILITY**
- indemnification, as, See **INSURANCE**, generally
- property, measure of indemnity, 33-24-101

Interpretation, 28-11-313
Joinder of claims or remedies, Title 25, chapter 20, M.R.Civ.P., Rule 18(b)
Joint and separate liability, 28-11-311
Judgment, effect, 28-11-317
Law enforcement officers rendering mutual assistance, 44-11-102
Leases

- action for, statute of limitations, 30-2A-506
- damages, liquidation, 30-2A-504
- merchant lessee, rejected goods, 30-2A-511

Letters of credit, indemnity agreement, 30-5-113
Liability, 28-11-311, 28-11-314
Limited liability company members, managers, agents, or employees, 35-8-107, 35-8-404
Livestock

- diseased, slaughter, Title 81, chapter 2, part 2, See **LIVESTOCK**, **Indemnification**
- railroads, killed by — plaintiff's claim for indemnity, 69-14-708, 69-14-709
- sale, county sheriff's liability, 76-16-316

INDEMNITY (Continued)

Negotiable instruments
    claims for, action for conversion — statute of limitation, 30-3-122
    refusal to pay, 30-3-603
Nonprofit corporation directors, 35-2-446 — 35-2-454
Notice of action against person indemnified, 28-11-317
Nuclear accident or attack, to officers and employees assisting in, Title 90, chapter 5, part 2, See **RADIOACTIVE SUBSTANCES, Nuclear Compact, Western Interstate**
Partnership partners, requirements, 35-10-401, 35-10-619, 35-10-625
Peace officers rendering mutual assistance, 44-11-102
Postsecondary educational institutions — students, enrollees, and parents — indemnification, 20-30-305
Power of attorney, statutory — authority, 72-31-228, 72-31-232
Public contracts, bid security, 18-1-201, 18-1-202
Public officers and employees, 2-9-305
Railroads
    employees' death or injury, payment, 69-14-1006
    livestock killed by, plaintiff's claim for, 69-14-708, 69-14-709
Reciprocal agreements for, See **INSURERS, RECIPROCAL**, generally
Recovery, 28-11-314, 28-11-316
Reimbursement of person indemnifying, 28-11-312
Religious corporations sole, officers and agents, 35-3-205
Rental agreements, prohibited provisions, 70-24-202
Resource extraction, Title 15, chapter 38
Securities, 30-8-403, 30-8-405
Several persons, of, 28-11-305
State
    alcoholic beverages, agency franchise agreement requirements, 16-2-101
    bonds required when, 17-2-202
    buildings, money received as indemnification for damage to, 2-17-105
    natural gas, underground storage for — indemnification against loss or damage by lessee, 77-3-505
    warrants, duplicate — bonds required when, 17-8-306
Surety bonds, furnishing by surety insurers prohibited when, 33-26-105
Surety laws, applicability, 28-11-312
Unlawful acts, for, 28-11-302, 28-11-303
Void when, 28-11-302, 28-11-303
Water conservation revenue bonds, indemnification by depositary, 85-1-321
Workers' compensation, See **WORKERS' COMPENSATION, Benefits**, indemnity
Wrongful acts, for, 28-11-302, 28-11-303

INDEPENDENCE OF STATE, Const., II, 2

INDEPENDENT LIABILITY FUND ACT, Title 33, chapter 27
    See **INSURANCE, CASUALTY, Small business independent liability funds**

INDIANS
Aging, state planning and service areas — designation, 52-3-405
Air quality areas, applicability of redesignation provisions, 75-2-112
Alcoholic beverage licenses for tribal licensees, 16-4-110, 16-4-204, 16-4-209
Artifacts, acquisition and preservation, 22-3-107, 82-4-227
Blackfeet highway, jurisdiction, 2-1-206
Bureau of Indian Affairs, officers as firewardens, 77-5-104
Burial Preservation Board, representation, 22-3-804
Burial site protection, Title 22, chapter 3, part 8
Child abuse and neglect
    child protective teams, member of, 41-3-108

INDIANS (Continued)
Child abuse and neglect (Continued)

records, disclosure to agencies or relatives of child when, 41-3-205
Child support jurisdiction
order issued by tribe, 40-5-201
"state" defined, 40-5-103
Child welfare specialist, appointment and duties, 52-2-117
Cigarette sales tax provisions, 16-11-111, 16-11-155, 16-11-158
Clinics, urban — dispensation of drugs from, 37-2-104
Coal impact grants or loans, eligibility, 90-6-205, 90-6-208, 90-6-209
Commerce, Department of — cooperation with, 90-1-104, 90-1-105
Committee on Indian Affairs, 5-11-210; Title 5, chapter 19, part 1
Community service corps program, Title 90, chapter 14, part 1
advisory council, representation, 90-14-104
Confederated Salish and Kootenai tribes
agreement concerning hunting and fishing, 87-1-228
flathead basin commission member, appointment, 2-15-213
jurisdiction of state, 2-1-301 — 2-1-303, 2-1-306, 2-1-307
Construction projects within reservation, hiring preference, 18-1-110, 49-2-303, 49-2-403, 49-3-103
Corrections facilities or programs, community, Title 53, chapter 30, part 3
Counties, new — establishment procedures when reservations involved, 7-2-2202
Culture, protection, 2-1-305, 82-4-227; Const., X, 1
Day-care facilities, licensing, 52-2-722
Deaf and Blind, Montana School for the — admission, 20-8-107
Developmental disabilities community services, availability to, 53-20-210
Developmental Disabilities Planning and Advisory Council, representation, 2-15-2204
Discrimination, See **DISCRIMINATION**, generally
Eagle parts and plumage, possession or transportation, 87-5-201
Economic opportunities, promotion and enhancement, 90-1-105
Education, cultural preservation in, Const., X, 1, See also **TEACHERS, Indian studies**
Educational telecommunications network (METNET), use by tribal colleges, 20-32-102
Employment preference
state construction projects within reservation, 18-1-110, 49-2-303, 49-2-403, 49-3-103
state jobs within reservation, 2-18-111
Extradition provisions, applicability, 46-30-101
Family services advisory councils, state and local — membership requirements, 52-1-202, 52-1-203
Federal
funds, administration, 17-3-107
jurisdiction, Const., I
Fishing, 2-1-304, 87-1-228
Fish, Wildlife, and Parks — Department of, agreements with, 87-1-228
Flathead Basin Commission, See **LAKES**
Flathead Indian reservation
criminal jurisdiction, 2-1-301
hunting and fishing regulations, 87-1-228
Food and Nutrition, State Advisory Council on — representation on, 2-15-2210
Fort Peck-Montana Compact, 85-20-201
Foster Care Review Committee, representation on — when, 41-3-1115
Gaming Advisory Council, representation on, 2-15-2021
Ground Water Assessment Steering Committee meetings, participation, 85-2-906
Health care, statewide universal access — integration, 50-4-302, 50-4-304, See also **HEALTH CARE, STATEWIDE UNIVERSAL ACCESS**
Highway historical markers, 60-2-222 — 60-2-224
Historical artifacts and narratives, acquisition and preservation, 22-3-107, 82-4-227
Human skeletal remains, protection, Title 22, chapter 3, part 8

INDIANS (Continued)

Hunting, 2-1-304, 87-1-228
Immunities generally, 2-1-304
Jurisdiction of state, 2-1-301 — 2-1-303, 2-1-306, 2-1-307
Jurisdiction of United States, Const., I
Landless Indians, 90-11-101
Marriage, form of solemnization, 40-1-301
MIAMI Project Advisory Council, representation on, 2-15-2109
Mineral royalties, tax exemption, 15-23-631, 15-36-120, 15-38-121
Mining operations, protection of history and culture, 82-4-227
Montana Student Volunteer Program Committee, representation, 20-26-1409
Motor fuels taxes, cooperative agreements for, 15-70-234 — 15-70-236
Monument and tribal flag circle
  advisory committee, composition and duties, 22-2-602
  design, competition for, 22-2-601, 22-2-602
Northern Cheyenne-Montana Compact, 85-20-301
Off-reservation Indians, 90-11-101
Oil and gas royalties, tax exemption, 15-23-631, 15-36-120
Pardons, Board of — membership requirement, 2-15-2302
Parent-child legal relationship termination, child's right to benefits, 41-3-611
Petroleum storage tank releases, cleanup, Title 75, chapter 11, part 3
Policy of state, 90-11-101
Prisoners, tribal supervision when on furlough, 46-23-401
Privileges and property rights generally, 2-1-304
Public assistance
  aid to families with dependent children (AFDC), 53-4-245
  reimbursement to state for payments, 53-2-610
  "ward indian" defined, 53-2-101
Railroads upon reservations, 69-14-538
Reclamation and development grants, Title 90, chapter 2, part 11
Resource indemnity trust and ground water assessment tax, royalties — tax exemption, 15-38-121
Rights generally, 2-1-304, See also **WATER, Indian waters**
River restoration program, cooperation, 87-1-257
Sale of Indian articles, 30-14-601 — 30-14-604
School districts
  elementary
    creation, 20-6-216
    transfer of territory, 20-6-213
  high school, transfer of territory, 20-6-320
Schools
  compulsory attendance by children, 20-5-108
  students, study of, 5-19-108
Service of process, 2-1-307
State coordinator of Indian affairs, 2-15-1813
  duties and assistance, 90-11-102
  historical markers along highways, consultation concerning, 60-2-223
  legislative policy, 90-11-101
  monument and tribal flag circle advisory committee, representation, 22-2-602
  tourism activities, promotion, 90-1-104
"State" defined, 40-5-103
State lands, exchange with or sale to tribal governments, 77-2-201, 77-2-306, 77-2-307
State-tribal cooperative agreements
  authorization and contents, 18-11-103, 18-11-104
  cigarettes, sales quota or allocation of seized property, 16-11-111, 16-11-158
  citation of state-tribal cooperative agreements act, 18-11-101

INDIANS (Continued)
State-tribal cooperative agreements (Continued)

community corrections facilities and programs, 53-30-314
definitions, 18-11-102
economic opportunities, promotion and enhancement, 90-1-105
existing, validity, 18-11-111
filing, 18-11-107
funds, appropriation for, 18-11-109, 18-11-112
limitations, specific, 18-11-110
motor fuels taxes, 15-70-234 — 15-70-236
purpose of provisions, 18-11-101
revocation, 18-11-108
submission to attorney general, 18-11-105
youth correctional facility services, 52-5-103
Taxation, 2-1-304
agreements for assessment, collection, or refund, 18-11-103, 18-11-104, 18-11-112
Teachers, instruction requirements, 20-4-211 — 20-4-214; Const., X, 1
Telecommunications network, educational — use by tribal colleges, 20-32-102
Tourism activities, promotion, 2-15-1816, 90-1-104, 90-1-105
Tourism Advisory Council, representation on, 2-15-1816
Trapping, 2-1-304
Treaty of 1855, 87-1-228
Tribal councils
hunting and fishing agreements, 87-1-228
jurisdiction of state, request for, 2-1-302
public agency defined as, 7-1-4121
schools, compulsory attendance by children — authorization, 20-5-108
Tribal court
defined as court, 40-8-103, See **ADOPTION OF CHILDREN**, generally
fish and game violations, 87-1-228
University system tuition and fees, waiver, 20-25-421
Vital statistics information, disclosure to determine tribal enrollment, 50-15-112, 50-15-206
Water rights
fort peck-Montana compact, 85-20-201
generally, See **WATER, Indian waters**
northern cheyenne-Montana compact, 85-20-301
Workers' compensation, coverage exclusions, 39-71-401
Yellowstone River Compact, effect, 85-20-101
Youth correctional facilities, cooperative agreements for services, 52-5-103
Youth Placement Committee, representation on, 41-5-525

INDIGENT PERSONS
See also **LOWER INCOME, PERSONS OF**
Alcoholism, treatment, 41-3-1103
Appellate defender system, 2-15-1020, 46-8-210 — 46-8-213
Boarding homes, county, 7-34-2302
Burial of indigent, 35-20-209, 40-6-301, 53-2-804
Cemeteries
associations, record of interment, 35-20-209
veterans' burial, restrictions, 10-2-501
Chemical dependency, treatment, 41-3-1103
Child abuse, neglect, and dependency proceedings, 41-3-401
Child custody, support, or visitation proceedings — attorney costs waived when, 40-4-205
Civil rights cases, expenses how payable, 49-2-505, 49-3-308
Consultant services for facilities providing care for, 52-1-103, 53-2-201
County public assistance programs, optional, 53-2-801, 53-2-802, 53-2-804

INDIGENT PERSONS (Continued)

Court proceedings involving
  appellate defender system, 2-15-1020, 46-8-210 — 46-8-213
  counsel, assigned, See **ATTORNEYS AT LAW, Right to counsel; CRIMINAL PROCEDURE, Counsel**
  developmentally disabled persons, admission to residential facility — counsel appointed, 53-20-125, 53-20-131
  in forma pauperis, See **CIVIL PROCEDURE, Indigent persons; CRIMINAL PROCEDURE, Indigent persons**
  mentally ill persons, commitment, 53-21-121, 53-21-133
  public defender, 46-8-202
  sentencing, presentence investigation costs, 46-18-111
Deaf and Blind, Montana School for the — admission of children, 20-8-108
Death
  burial, 35-20-209, 40-6-301, 53-2-804
  records, interment, 35-20-209
  veterans' burial, restrictions, 10-2-501
"Dependent youth" defined, 41-3-102
Developmentally disabled persons, admission to residential facility — counsel appointed, 53-20-125, 53-20-131
Discrimination case expenses, how payable, 49-2-505, 49-3-308
Drug abuse treatment, 41-3-1103
Elections, as candidates, 13-10-201, 13-10-203, 13-10-204, 13-15-111
Fish and game violations, hunger as defense, 87-3-129
Hospital district facilities, terms and rates for admission, 7-34-2123
Hospitals, county, 7-6-2426, 7-34-2203, 7-34-2402
Hunger as defense to fish and game violations, 87-3-129
Indian child welfare specialist, duties, 52-2-117
In forma pauperis, See **CIVIL PROCEDURE, Indigent persons; CRIMINAL PROCEDURE, Indigent persons**
Legal aid, See **Court proceedings involving**
Medical care, local health officer not required to give, 50-2-118, See **PUBLIC ASSISTANCE**
Mentally ill persons
  commitment proceedings, 53-21-121, 53-21-133
  support following release, 53-21-186, 53-21-188
Nursing homes, county, 7-34-2302, 7-34-2402
Parents, support of
  duty of child, 40-6-214, 40-6-301
  enforcement, 40-6-303
  penalty for nonsupport, 40-6-302
Public assistance, See also **PUBLIC ASSISTANCE**
  eligibility data, availability requirements, 53-2-211
  legislative findings, 53-3-115
  mill levy to fund, 53-2-801, 53-2-803
  optional, 53-2-801, 53-2-802, 53-2-804
Public defender, 46-8-202
School attendance, children, 20-5-107
School food services for children, 20-3-205, 20-10-205
Sentencing, presentence investigation costs, 46-18-111
Support, family obligation, 40-6-214, 40-6-301 — 40-6-303
Tax deed quiet title actions, deposit in court not required, 15-18-411, 15-18-412
Transportation, free or reduced rates, 69-11-208
Veterans' burial, restrictions on place, 10-2-501
Welfare, See **PUBLIC ASSISTANCE**

INDIVIDUAL FAMILY DISABILITY INSURANCE CONTINUITY OF COVERAGE ACT, 33-22-305 — 33-22-311
  See **INSURANCE, DISABILITY, Individual family members continuity of coverage**

INDUSTRIES AND INDUSTRIAL DEVELOPMENT
  See also **TRADE REGULATION AND COMPETITION**
Accidents, See **LABOR AND EMPLOYMENT, Health safeguards; Safety; OCCUPATIONAL DISEASE; WORKERS' COMPENSATION**
Agriculture, See **AGRICULTURE**
Air pollution control, Title 75, chapter 2
Air Pollution Control Advisory Council, representation on, 2-15-2106
Alcoholic beverages, See **ALCOHOLIC BEVERAGES, Beer brewers, importers, and wholesalers; Distillers; Rectifiers**
Appropriation by state prohibited, Const., V, 11
Capital companies, development through, 90-8-103
Child labor prohibited when, Title 41, chapter 2, part 1, See **MINORS, Employment**
Cities and towns
  annexation of land, restrictions, 7-2-4303, 7-2-4503, 7-2-4608
  fire-causing potential, industries with — regulation, 7-33-4207
  licensing, 7-21-4101, 49-3-204
  location, regulation, 7-21-4204
  pollution abatement, agreements or contracts for, 7-7-4405
Commerce, Department of — development functions, 90-1-105, 90-5-113
Commercial feeds, Title 80, chapter 9
Commercial fertilizers, Title 80, chapter 10
Cooperative associations, to develop, Title 35, chapter 15
Dairies and dairy products, Title 81, chapters 22 and 23
Development projects, See also **ECONOMIC DEVELOPMENT**, generally
  aeronautics, board of — powers and authority, 67-1-302
  capital companies, development through, 90-8-103
  commerce, department of — functions, 90-1-105, 90-5-113
  costs of project, 90-5-106, 90-5-109
  definitions, 90-5-101
  economic development, tax levy for, 90-5-112
  eminent domain prohibited, 90-5-102
  hearings on projects, 90-5-104
  industrial park development, Title 76, chapters 3 and 4, See **SUBDIVISIONS**
  lease of project, 90-5-102, 90-5-105, 90-5-106, 90-5-108 — 90-5-110
  local government powers, 90-5-102, 90-5-111
  preference to Montana labor, 90-5-114
  refunding bonds, 90-5-107
  revenue bonds, 90-5-102, 90-5-103
    aeronautics, board of — issuance by, 67-1-302
    contracts financed by, standard prevailing wage requirement, 18-2-403, 90-5-114
    costs of project, effect, 90-5-106, 90-5-109
    loan from proceeds, 90-5-102, 90-5-105, 90-5-106
    proceeds, use, 90-5-102, 90-5-108
    refunding bonds, 90-5-107
    security, 90-5-105
    trust, establishment, 72-33-108
  taxation, 15-10-412, 90-5-110, 90-5-112, See also **TAXATION, PROPERTY, Industries**
Economic development bonds, Title 17, chapter 5, part 15
Educational impact statements required when, 20-1-208, 20-1-209
Electric suppliers, Title 69, chapter 5, part 1

INDUSTRIES AND INDUSTRIAL DEVELOPMENT (Continued)

Environmental Policy Act, Title 75, chapter 1, parts 1 — 3
Explosives use, applicability of laws, 50-37-102
Facility Siting Act, Title 75, chapter 20
Feeding facilities, See **FOOD ESTABLISHMENTS**, generally
Fire prevention, protection, and safety in industrial plants, 50-3-102, 50-61-103
Fireworks use, applicability of laws, 50-37-102
Flathead Basin Commission, representation on, 2-15-213
Floodways, industrial uses within, Title 76, chapter 5, See **FLOODPLAINS AND FLOODWAYS, Uses within**
Forest practices in streamside management zones, 77-5-301 — 77-5-307
Gasoline, Title 15, chapter 70; Title 82, chapter 15
Ground Water Assessment Steering Committee, representation on, 2-15-1523
Hazardous chemical information to employees, Title 50, chapter 78
Hazardous wastes, furnaces and boilers that burn — rules and performance standards, 75-10-405
Illnesses, See **LABOR AND EMPLOYMENT, Health safeguards; Safety; OCCUPATIONAL DISEASE; WORKERS' COMPENSATION**
Industrial parks
  development, Title 76, chapters 3 and 4, See **SUBDIVISIONS**
  economic development, tax levy for, 90-5-112
  tax exemption, 15-24-1901, 15-24-1902
Infrastructure development, See **URBAN RENEWAL, Industrial districts**
Inspection of workplace, 39-1-103, See also **LABOR AND EMPLOYMENT, Inspection of workplace**
Institutional, Title 53, chapter 1, part 3, See also specific institution
Livestock, Title 81
Megalandfill Siting Act, Title 75, chapter 10, part 9
Metropolitan sanitary and/or storm sewer districts, charges for costs, 7-13-143
Mining, site protection from, 82-4-402
Minors' employment prohibited when, Title 41, chapter 2, part 1, See **MINORS, Employment**
Mint and mint oil production, Title 80, chapter 11, part 4
Natural Areas Advisory Council, representation on, 2-15-3203
Natural gas, Title 82, chapter 11
Nuclear energy, use, Title 90, chapter 5, part 2
Nuclear facilities, See **FACILITY SITING, Nuclear energy conversion**
Oil and gas, Title 82, chapter 11
Pesticide regulation, Title 80, chapter 8
Plant closures, 75-20-304
Plumbing installations, exemption from provisions, 50-60-503
Pollution, Title 75, chapters 2 and 5
Port authorities, purpose, 7-14-1104
Postattack emergency regulation, 10-3-505
Poultry, Title 81, chapter 20
Production associations, 35-15-411
Railroad spur tracks for, See **RAILROADS, Spurs**
Safety provisions, See **LABOR AND EMPLOYMENT, Safety**
Science development projects, Title 90, chapter 3
Seats for employees, 39-2-201
Secondary, value-adding — tax increment financing, See **URBAN RENEWAL, Industrial districts**
Sewage and/or water system services furnished to, 7-13-4311, 7-13-4312
Skiing, Title 23, chapter 2, part 7
Soil survey and mapping program, Title 76, chapter 11, part 2
Solid waste management, state plan — development, 75-10-807

INDUSTRIES AND INDUSTRIAL DEVELOPMENT (Continued)

State
  funding prohibited, Const., V, 11
  regulation when, 2-8-101
Streamside management zones, forest practices in, 77-5-301 — 77-5-307
Subdivision development, Title 76, chapter 4
Sulfur dioxide, industrial sources — study of effects, 75-2-206
Taxation, See **TAXATION, PROPERTY**
Tax increment financing industrial development, 7-15-4297 — 7-15-4299
Technology development projects, Title 90, chapter 3
Timber, See **FORESTS AND FORESTRY**, generally
Tramways, Title 23, chapter 2, part 7
Upper Clark Fork River Basin Steering Committee, representation on, 85-2-338
Value-added manufacturing, expanding industry taxable value decrease, 15-24-2401 — 15-24-2405
Venture capital, 90-8-103
Water conservancy districts, to benefit, 85-9-101, 85-9-102
Water Pollution Control Advisory Council, representation on, 2-15-2107
Water supplies
  beaverhead river and red rock river basins, partial closure — nonapplicability, 85-2-328
  chronically dewatered watercourses, identification — factors, 85-2-150
  conservation and development, 85-9-101, 85-9-102
  county water and/or sewer districts, 7-13-2218, 7-13-2301
  development and utilization, policy of state, 85-1-101
  ground water assessment, purpose, Title 85, chapter 2, part 9
  navigable waters as public ways, no abridgment of preexisting rights, 85-1-111
  sewage and/or water system services furnished to, 7-13-4311, 7-13-4312
  water works, defined as, 85-1-102, 85-1-210, See **WATER, Projects**
Weather modification and control, research and development for, 85-3-103
Wind-generated electricity, commercial investment, 15-32-401 — 15-32-407
Winter work committee, representation on, 7-16-4303

INFECTIOUS WASTE MANAGEMENT ACT, Title 75, chapter 10, part 10
  See **HAZARDOUS WASTES**

INFORMATION ACCESS MONTANA ACT, 22-1-325 — 22-1-331
  See **LIBRARIES**, generally

INFORMATION AND PRIVACY PROTECTION ACT, INSURANCE, Title 33, chapter 19
  See **INSURANCE, Information and privacy protection**

INHERITANCE TAX, Title 72, chapter 16
  See **TAXATION, ESTATES**

INITIATIVES
  See **BALLOT ISSUES**

INJUNCTION, WRIT OF
  See also generally **REMEDIES; WRITS**
Abortion, interference with right of refusal, 50-20-111
Abuse of family or household member, 27-19-201, 40-4-121 — 40-4-125
Acupuncture, to enjoin practice of, 37-13-315
Adoption agency violations, 52-2-407
Adult foster family care homes operated without license, to restrain, 52-3-314
Aeronautics laws, enforcement, 67-2-501
Agricultural chemical ground water protection violations, to restrain, 80-15-404, 80-15-411

INJUNCTION, WRIT OF (Continued)

Agricultural commodities
  failure to have license, 80-4-427
  warehouse operators, from interference with department, 80-4-538
Agricultural marketing association, breach of marketing agreement, 35-17-401
Agricultural seed conditioning plant, labeler, grower, and dealer violations — to restrain, 80-5-207
Agriculture, restraint of trade, 27-19-202, 27-19-204
AIDS testing and counseling violations, relief, 50-16-1013
Airport influence area violations, abatement, 67-4-402
Airport Zoning Act violations, abatement, 67-6-211
Air quality rules or orders, enforcement, 75-2-412, 75-2-413
Alcoholic beverages
  beer brewer, importer, or wholesaler franchise cancellation — to prevent, 16-3-225
  nuisance abatement, action for, 16-6-313
  table wine distribution violations, 16-2-303, 16-3-421
  wages, failure to file bond guaranteeing, 39-3-604, 39-3-607
Appeals relating to
  calendar precedence, Title 25, chapter 21, M.R.App.P., Rule 39
  continuance pending, 3-2-205; Title 25, chapter 21, M.R.App.P., Rule 40
  pending, Title 25, chapter 20, M.R.Civ.P., Rules 62(c), 62(g); Title 25, chapter 21, M.R.App.P., Rule 40
  permitted, Title 25, chapter 21, M.R.App.P., Rule 1
Applicability of laws, Title 25, chapter 20, M.R.Civ.P., Rule 65
Arbitration proceedings, effect of stay by, 27-2-405
Architect violations, to restrain, 37-65-323
Asbestos-related occupation and project violations, 75-2-503
Assignment for benefit of creditors, 31-2-220
Associations, action brought by, 27-19-104
Availability, 27-19-102
Banks and trust companies
  advertisement of banking business prior to certification, restraint, 32-1-402
  closure, recourse of aggrieved bank, 32-1-516
  commerce, department of — enforcement of subpoena by, 32-1-211
  corporate name restriction violations, restraint, 32-1-402
  electronic funds transfer terminal, unauthorized operation, 32-6-402
  temporary cease and desist order, against, 32-1-904
  transaction of banking business without certificate, restraint, 32-1-403
Battering of family or household member, 27-19-201, 40-4-121 — 40-4-125
Building code violations, 50-60-109, 50-60-514
Campground violations, 50-52-106
Chemical dependency treatment facility violations, restraint, 53-24-208
Child support proceedings, temporary injunction, 40-4-121 — 40-4-125
Cigarettes
  nuisance, public — abatement, 16-11-145
  sales violations, 16-10-402
  tobacco product sales, when, 16-11-204
Cities and towns
  legislative act, prevention of, 27-19-103
  ordinance violations, to restrain or enjoin, 7-1-4124
  refunding revenue bondholders, to restrain violation of rights, 7-7-4633
  undertaking not required, 27-19-306
Citizens' groups, action brought by, 27-19-104
Clinical laboratory science practitioners, action to suspend practice, 37-34-307
Commercial feed violations, to restrain, 80-9-303
Commercial fertilizer violations, to restrain, 80-10-303

INJUNCTION, WRIT OF (Continued)

Condominium violations, restraint, 70-23-1001
Conservation easements, enforcement, 76-6-210
Construction blasting and blaster violations, to restrain, 37-72-102
Consumer counsel, application by, 27-19-203, 69-2-202
Consumer loan businesses
  commerce, department of — enforcement of subpoena by and production of records for, 32-5-404
  electronic funds transfer terminal, restraint of unauthorized operation, 32-6-402
  violations, restraint, 32-5-405
Consumer protection, in action for, 27-19-202, 27-19-204
Contracts, prevention of breach, 27-19-103
Contracts, public — persons restrained from proceeding with construction when, 18-2-432
Corporations
  director's conflicting interest transaction, not allowed, 35-1-462
  dissolution, 35-1-940
    relief other than, 35-1-939
  ultra vires acts, 35-1-117
Cosmetics violations, 50-31-508
Cosmetology violations, to restrain, 37-31-334
Credit unions
  electronic funds transfer terminal, restraint of unauthorized operation, 32-6-402
  false advertising, restraint, 32-3-103
Dairies and dairy products
  enforcement of provisions and rules, 81-22-105
  milk price control violations, remedy, 81-23-406
  violations, restraint, 81-21-104
Day-care facility violations, restraint, 52-2-741
Defined, 27-19-101
Dentistry, Board of, 37-29-411
Dentists, violations — to restrain, 37-4-328
Denturists, violations — to restrain, 37-29-411
Discrimination laws, enforcement — preliminary injunction, 49-2-503, 49-3-306
Dissolution of marriage proceedings, temporary injunction, 40-4-121 — 40-4-125
Documents of title, negotiation, 30-7-602
Drugs
  dispensation violations by medical practitioners, to restrain, 37-2-105
  quality violations, 50-31-508
Elections, 13-35-108
  nominations, restraint of placing name on ballot when improper, 13-35-221
Electric energy producers and suppliers
  license tax delinquency, production enjoined, 15-51-113
  violations or omissions, restraint, 69-5-111
Electronic funds transfer terminals, restraint of unauthorized operation, 32-6-402
Emergency medical service violations or noncompliance, to restrain, 50-6-316, 50-6-326
Employment
  aliens, unauthorized — businesses employing, 39-2-305
  collective bargaining, 27-19-103
    unfair labor practices, 39-31-409
  employment agencies, 39-5-403, 39-5-405
  unfair labor practices, 39-31-409
Enforcement, 27-19-101
Escrow business violations, to restrain, 32-7-122
Extent, 27-19-105
Facility siting violations, relief from, 75-20-408

INJUNCTION, WRIT OF (Continued)

Farm implements dealership — against unlawful termination, cancellation, nonrenewal, or substantial alteration of agreements, 30-11-811
Final injunction when, 27-19-102, See **Procedure generally**
Fire prevention regulation violations, occupancy of building enjoined, 50-3-102, 50-61-118
Food
  establishment violations, 50-50-106, 50-50-109
  organic, to restrain labeling violations, 50-31-231
  quality violations, 50-31-508
Foreclosure of mortgage, prevention of damage to security, 71-1-227
Forest fire hazard reduction or management, enforcement, 76-13-410, 76-13-413
Forest practices in streamside management zones, for compliance with site rehabilitation order, 77-5-305
Fraternal benefit society violations, to restrain, 33-7-120, 33-7-122
Fraud, to prevent, 27-19-201
Fraudulent transfers, to prevent, 31-2-339
Funds transfers, to prevent, 30-4A-503
Gambling violations, to restrain, 23-5-136
Gasoline and petroleum products
  tax delinquency, collection may not be enjoined, 15-70-211
  violations, 82-15-112, 82-15-204
Grazing districts, relief for trespassing stock and fence violations, 76-16-321
Grounds, 27-19-102
Ground water, enforcement of order for controlled ground water area, 85-2-507
Hamburger sales violations, 50-31-508
Hazardous chemical trade secret disclosure, to prevent, 50-78-205
Hazardous or deleterious substances, remedial action upon release, 75-10-707
Hazardous substance violations, 50-30-306
Hazardous waste or regulated substance violations, 75-10-413 — 75-10-415, 75-10-417, 75-10-418
Health care facilities
  abortion, interference with right of refusal, 50-20-111
  certificate of need violations, 50-5-307
  sterilization, interference with right of refusal, 50-5-504
  violations generally, 50-5-108
Health law violations generally, 50-1-103, 50-2-116
Health maintenance organizations, 33-31-405
Health service corporation violations, to restrain, 33-30-113
Hearing Aid Dispensers, Board of — enforcement of provisions, 37-16-202, 37-16-413
High schools, conspiracy to prevent private school interscholastic competition, 20-1-210
HIV-related testing and counseling violations, relief, 50-16-1013
Honey, mislabeling, 50-31-508
Hotel violations, 50-51-401, 50-51-402
Housing authority obligees, to enjoin violation of rights, 7-15-4529
Hunters, harassment of — to restrain, 87-3-144
Insurance, commissioner of — action or application for, 33-1-318, 33-2-1118, 33-2-1119, 33-2-1321, 33-11-104, 33-11-121, 33-25-402, 33-30-113, 33-31-405
Insurers
  delinquency proceedings, 33-2-1305, 33-2-1309
  holding company systems, 33-2-1118, 33-2-1119
  liquidation order, inclusion, 33-2-1348
  prohibited practices, to restrain, 33-18-1003, 33-25-402
  supervision orders, enforcement, 33-2-1321
Interlocutory injunctions, See **Procedure, preliminary injunctions**
Junkyards, abatement of nuisance, 75-15-205

INJUNCTION, WRIT OF (Continued)

Jurisdiction
  action determines, 27-19-101
  district court, 3-5-302, 3-5-311; Const., VII, 4
  supreme court, 3-2-202, 3-2-205; Const., VII, 2; Title 25, chapter 20, M.R.Civ.P., Rule 62(g); Title 25, chapter 21, M.R.App.P., Rule 17
Labor disputes, prohibited in, 27-19-103, 39-31-409
Landlord-tenant disputes, 70-24-406, 70-24-410, 70-24-422, 70-24-424
Laws
  applicable, Title 25, chapter 20, M.R.Civ.P., Rule 65
  execution, prohibited to prevent, 27-19-103
Lease contracts, transfer of rights — against transfer, 30-2A-303
Legal separation proceedings, temporary injunction, 40-4-121 — 40-4-125
Letters of credit, honor of complying draft or document, 30-5-114
Licensing boards, to restrain practice of occupation or profession, 37-1-136
Liens, oil and gas wells and pipelines — prevention of removal of security, 71-3-1010
Livestock
  disease control, 81-2-111
  garbage feeder violations, to restrain, 81-2-511
  market and dealer activities, restraint, 81-8-236
Local governments, undertaking not required, 27-19-306
Long-term care facilities, to enjoin violation of ombudsman's access to facility provisions, 52-3-605
Meat establishments and meat inspection violations, to restrain, 81-9-236
Medical Examiners, Board of, 37-3-326, 37-20-104
Medical practitioner drug dispensation violations, to restrain, 37-2-105
Megalandfill siting
  reclamation and rehabilitation, to restrain interference with right to enter and inspect, 75-10-953
  violations, to restrain, 75-10-943
Midwives, direct-entry — to restrain violations, 37-27-212, 37-27-325
Milk price control violations, remedy, 81-23-406
Mines and mining
  consignment, restraint of payment, 82-2-421
  metal mine operation violations, 82-4-361
  opencut mining
    reclamation, noncompliance, 82-4-434
    violations, 82-4-441
  safety and health violations, 50-72-103, 50-73-104
  strip and underground mine operation
    reclamation by board of land commissioners, restraint of interference, 82-4-239, 82-4-254
    violations, 82-4-252, 82-4-254
  strip and underground mine siting violations, 82-4-141
  wages, failure to file bond guaranteeing, 39-3-510, 39-3-512, 39-3-516
Mobile home park violations, 50-52-106, 50-52-107
Montana quality label violations, restraint, 81-8-705
Mortgage foreclosure, prevention of damage to security, 71-1-227
Motor carrier violations, to restrain, 69-12-209
Motor fuel marketing, retail — below-cost sale violations, 30-14-806
Motor vehicles
  dealers or wholesalers, 61-4-107, 61-4-209
  graveyards and wrecking facilities, for compliance with provisions, 75-10-541
  manufacturers, distributors, importers, or dealers — to restrain, 61-4-209
Municipal finance consolidation bond or note trustees, to restrain violation of bondholder's rights, 17-5-1647

INJUNCTION, WRIT OF (Continued)

Naturopathic physician violations, to enjoin, 37-26-401
Negotiable instruments, prohibiting payment, 30-3-603
Nonprofit corporations
    attorney general, by, 35-2-131, 35-2-132
    dissolution, 35-2-729
    ultra vires acts, 35-2-132
Notice, effect, 27-19-105
Nuisances
    alcoholic beverages, 16-6-313
    cigarettes, place where sold, 16-11-145
    public, abatement by, 27-30-103, 45-8-112
Nursing violations, to restrain, 37-8-444
Obligation, to prevent breach, 27-19-102
Oil and gas
    attorney general, against, 82-11-145
    board of oil and gas conservation, against, 82-11-144, 82-11-145
    bond to guarantee wages, failure to file, 39-3-510, 39-3-512, 39-3-516
    lien of laborers and materialmen, prevention of removal of security, 71-3-1010
    violations, 82-11-142, 82-11-147, 82-11-149
Optometrist violations, to restrain, 37-10-301
Organic food labeling violations, to restrain, 50-31-231
Parking commission obligees, violation of rights, 7-14-4664
Peace officers, injunction prohibited to prevent execution of law, 27-19-103
Personal representative, to restrain, 72-3-304, 72-3-521, 72-3-617
Pesticide violations, to restrain, 80-8-306
Pharmacy utilization plan, enforcement, 37-7-323
Physicians, to enjoin from practice of medicine when, 37-3-326
Pipeline carriers, enforcement, 69-13-102
Plumbing violations, 50-60-514
Postsecondary educational institutions, enforcement of orders or to enjoin violations, 20-30-404, 20-30-405
Poultry industry violations, restraint, 81-20-102
Power of attorney, statutory — authority, 72-31-232
Preliminary injunctions, See **Procedure, preliminary injunctions**
Preventive relief, as, 27-1-102, 27-1-107, 27-1-401, 27-1-403
Price discrimination, commodities — to restrain violations, 30-14-906
Private investigators, violation of, 37-60-321
Procedure generally
    appeals, See **Appeals relating to**
    applicability of laws, Title 25, chapter 20, M.R.Civ.P., Rule 65
    availability, 27-19-102, See also this main category generally
    continuance, 3-2-205; Title 25, chapter 21, M.R.App.P., Rule 40
    costs, 25-10-101, 25-10-102
    day of issuance, 3-1-302, 3-5-302
    enforcement, 27-19-101
    extent, 27-19-105
    final injunctions when, 27-19-102
    form of order, 27-19-105
    "injunction" defined, 27-19-101
    interlocutory injunctions, See **Procedure, preliminary injunctions**
    jurisdiction, See **Jurisdiction**
    nonjudicial days, issuance on, 3-1-302, 3-5-302
    notice, 27-19-105
    order, 27-19-101
    preliminary injunctions, See **Procedure, preliminary injunctions**

INJUNCTION, WRIT OF (Continued)
Procedure generally (Continued)

  prohibited, issuance is when, 27-19-103
  restraining orders, See **Restraining orders**
  scope of restraint, 27-19-105
  stay of proceedings, 27-2-405, 27-2-406, 27-19-103; Title 25, chapter 21, M.R.App.P., Rule 7
  supreme court proceedings, 3-2-202, 3-2-205; Const., VII, 2; Title 25, chapter 20, M.R.Civ.P., Rule 62(g); Title 25, chapter 21, M.R.App.P., Rule 17, See also **SUPREME COURT**, **Original proceedings in**; **Writs**
  temporary injunction, See **Procedure, preliminary injunctions**
  temporary restraining order, See **Restraining orders**
Procedure, preliminary injunctions, See also **Procedure generally**; **REMEDIES**, generally
  affidavits for, 26-1-1002, 27-19-303, 27-19-315
  answer, 27-19-303
  applicability of laws, 27-19-306; Title 25, chapter 20, M.R.Civ.P., Rule 65
  application for, 27-19-301, 27-19-401
  availability generally, 27-19-201
  bond, issuance without, 27-19-204
  costs — dissolution, upon, 27-19-406
  counterclaim, availability to defendant upon, 27-15-102
  discrimination laws, enforcement, 49-2-503, 49-3-306
  dissolution, 27-15-103, 27-19-306, 27-19-401, 27-19-404 — 27-19-406
  election among various remedies, 27-15-101
  evidence, 27-19-303
  extent, 27-19-105
  findings of fact and conclusions of law to accompany granting, Title 25, chapter 20, M.R.Civ.P., Rule 52(a)
  grounds, 27-19-201
  hearing to show cause, 27-19-301, 27-19-303, 27-19-318
  modification, 27-15-103, 27-19-401, 27-19-404
  notice of
    application, 27-19-301
    dissolution, application for, 27-19-401
    modification, application for, 27-19-401
    sureties, exception to, 27-19-306
  order granting injunction, 27-19-105
  order to show cause for injunction, 27-19-203, 27-19-301, 27-19-401, 69-2-202
  restraining orders preliminary to, 27-19-314, See **Restraining orders**
  restraint of trade proceedings, 27-19-202, 27-19-204
  scope of restraint, 27-19-105
  sureties of applicant, 27-19-306, 27-19-307, 27-19-403
  sureties of enjoined party upon dissolution, 27-19-405
  temporary restraining orders preliminary to, 27-19-314, See **Restraining orders**
  time for granting, 27-15-103, 27-19-303
  undertaking of applicant, 27-19-204, 27-19-306, 27-19-307, 27-19-403
  undertaking of enjoined party upon dissolution, 27-19-405
Produce, stop sale order — enforcement, 80-3-305
Product safety violations, 50-30-306
Psychology, to enjoin practice of, 37-17-202, 37-17-313
Public interest groups, action brought by, 27-19-104
Public officers, prohibited to prevent exercise of office, 27-19-103
Public Service Commission orders
  enforcement, 69-12-209
  to stay and suspend, 69-3-403
Public Service Commission proceedings, preliminary injunction, 27-19-203, 69-2-202
Rabies control, enforcement, 50-23-106

INJUNCTION, WRIT OF (Continued)

Radioactive substance provisions, rules, or orders — violations, 75-3-406
Railroad rates, rules, or orders — enforcement, 69-14-134
Recall, election and petition certification or printing, 2-16-615
Redemption period, restraint of waste during, 25-13-823, 25-13-824
Restaurants and bars, failure to file bond guaranteeing wages, 39-3-604, 39-3-607
Restraining orders, 27-19-301, 27-19-314, 40-4-121
  applicability of laws, 33-2-1305, 40-4-121; Title 25, chapter 20, M.R.Civ.P., Rule 65
  availability, 27-19-301, 27-19-314
  contents, 27-19-105, 27-19-316, 40-4-121
  dissolution, 27-19-318, 27-19-319
  emergency medical service violations, 50-6-326
  escrow business violations, 32-7-122
  expiration, 27-19-316, 27-19-317, 40-4-121
  extension of expiration, 27-19-317
  extent, 27-19-105
  filing, 27-19-316
  forest fire hazard reduction or management, enforcement, 76-13-410
  form, 27-19-105, 27-19-316, 40-4-122
  funds transfers, to prevent, 30-4A-503
  gambling violations, 23-5-136
  hearing for injunction advanced when, 27-19-318
  insurance, commissioner of — action for, 33-1-318
  insurers, 33-2-1305, 33-2-1309, 33-2-1321, 33-18-1003
  megalandfill siting violations, 75-10-943
  modification, 27-19-319
  notice, 27-19-315, 27-19-319
  personal representative, 72-3-617
  public service commission, against respondent, 27-19-203, 69-2-202
  scope of restraint, 27-19-105
  self-help temporary, 40-4-121 — 40-4-125, 45-5-220
  snowmobile sound level limitations, sales violations, 23-2-641
  undertaking, 27-19-306
  water use violations, 85-2-114
Safety violations, 50-71-326, 50-72-103, 50-73-104
Sanitarian violations, to restrain, 37-40-312
Schools
  debt service levy for bonds, to prevent — effect, 20-9-466
  immunization requirements, enforcement, 20-5-409
Scope of restraint, 27-19-105
Secured transaction, sale of collateral, 30-9-112, 30-9-507
Securities
  adverse transfer, 30-10-406
  creditor's remedy, 30-8-317
  registration of transfer, 30-8-403
  violations generally, 30-10-305
  wrongful transfer, 30-8-315
Security patrol officers, violation of, 37-60-321
Snowmobile sound level limitations, sales violations, 23-2-641
Solid waste management system violations, 75-10-231
Specific performance, injunction prohibited when, 27-19-103
Speech-language pathology and audiology, to enjoin practice of, 37-15-323
Spouse abuse, 27-19-201, 40-4-121 — 40-4-125
State, actions involving — security not required, 27-19-204, 27-19-306
Statutes of limitations, effect of stay by injunction, 27-2-405, 27-2-406
Stay of proceedings, 27-2-405, 27-2-406, 27-19-103; Title 25, chapter 21, M.R.App.P., Rule 7

INJUNCTION, WRIT OF (Continued)

Sterilization, interference with right of refusal, 50-5-504
Streamside management zones, forest practices in — for compliance with site rehabilitation order, 77-5-305
Subdivision violations, 76-3-301, 76-4-109, 76-4-1244
Supreme court proceedings, 3-2-202, 3-2-205; Const., VII, 2; Title 25, chapter 20, M.R.Civ.P., Rule 62(g); Title 25, chapter 21, M.R.App.P., Rule 17, See also **Procedure generally; SUPREME COURT, Original proceedings in; Writs**
Swimming pool or area violations, 50-53-104
Tax
  electric energy producers, production enjoined upon failure to pay license tax, 15-51-113
  enforcement, to restrain, 15-1-404, 15-1-405
  gasoline license tax, collection may not be enjoined, 15-70-211
  special fuel license tax, collection may not be enjoined, 15-70-354
Temporary injunction, See **Procedure, preliminary injunctions**
Temporary restraining orders, See **Restraining orders**
Timeshares
  brokers or salespersons enjoined from continuing business, effect, 37-53-302
  violations, to restrain, 37-53-505
Trademarks, restraint of use, 30-13-334, 30-13-335
Trade secrets, misappropriation, 30-14-403, 30-14-405
Trailer court violations, 50-52-106, 50-52-107
Tramways — order for corrective action, compliance compelled by, 23-2-721, 23-2-724
Trappers, harassment of — to restrain, 87-3-144
Trusts, prevention or remedy of breach of obligation arising from, 27-19-103, 72-34-506
Underground storage tanks or installers, 75-11-218 — 75-11-220, 75-11-223, 75-11-224
Unfair labor practices, 39-31-409
Unfair trade practices, 30-14-111, 30-14-222, 30-14-806
  commerce, department of — brought by, 30-14-111, 30-14-134
  preliminary injunction, 27-19-202, 27-19-204
  subpoenas or demands by department of commerce, disobedience to, 30-14-134
  violation of injunction, 30-14-142
United States district court, enforceability of orders issued concerning liability risk retention groups, 33-11-124
Utility provisions, compliance, 69-3-110
Veterinary medicine, to restrain practice or violations of, 37-18-502
Water
  distribution controversies, 85-2-406
  ground water, enforcement of order for controlled ground water area, 85-2-507
  public water supply — compliance with orders, rules, or standards, 75-6-111
  use violations, to restrain, 85-2-114
  water quality violations, 75-5-614, 75-5-622, 75-5-641
Water Well Contractors, Board of — to restrain practice, 37-43-314
Weights, measures, and grades violations, 30-12-505
Workers' compensation, uninsured or underinsured employer violations
  cease operation order, enforcement, 39-71-507
  relief to employee, 39-71-516

INLAND MARINE DEFINITION ACT, NATIONWIDE, 33-1-221 — 33-1-229
  See **INSURANCE, MARINE**

INSECTS AND INSECT CONTROL, Title 7, chapter 22, part 24; Title 80, chapters 7 and 8
  See **PESTS AND PESTICIDES**

INSTALLMENT SALES
  See **CREDIT TRANSACTIONS, Retail installment sales**

IN-STATE INVESTMENT ACT OF 1983, Title 17, chapter 6, part 3
  See **COAL TRUST FUNDS, In-state investment**

INSTITUTIONAL FUNDS ACT, UNIFORM MANAGEMENT OF, Title 72, chapter 30
  See **TRUSTS, Institutional funds**

INSTITUTIONS
  See also specific institution
Abandonment or movement, consent of legislature required, 52-1-105, 53-1-202
Accounting system, 17-1-102
Administration, Department of — lease or purchase of lands subject to, 52-1-103, 53-1-203
Adoption of children maintained in, 40-8-111
Aftercare programs, 53-1-203, See main categories for specific program or institution
Agricultural programs for, 52-1-103, 53-1-203, 53-1-301
Alcoholic beverages — distribution to resident, patient, or inmate, 16-1-204, 16-6-309, 53-1-103
Animal and research facilities protection, Title 81, chapter 30, part 1
Appropriation requests, legislative review, 5-2-202
Arsonist, written notice of release to department of justice, 53-1-104
Audits, legislative, Const., V, 10; Title 5, chapter 13, See **LEGISLATIVE AUDIT**
Autopsies of patients or inmates upon death, 50-21-103, 50-21-104
Budget and budget amendments, Title 17, chapter 7, See **BUDGET AND BUDGETING**
Center for the Aged, Title 53, chapter 21, part 4
Children, See **Juveniles**
Cities, management, 7-3-4463
Claims against, See **GOVERNMENT**
Closure of facilities, 39-2-1001 — 39-2-1004
Commitment, See specific institution
Community homes, Title 53, chapter 20, See **DEVELOPMENTALLY DISABLED PERSONS**
Community mental health centers, Title 53, chapter 21, See **MENTAL ILLNESS OR INCAPACITY, Mental health facilities**
Components of Department of Corrections and Human Services, 53-1-202
Construction of buildings, See **INDUSTRIES AND INDUSTRIAL DEVELOPMENT, Development projects; PUBLIC CONTRACTS, Construction of buildings**
Consultants
  social and rehabilitation services, department of — service by, 53-2-201
  services contracts, state, Title 18, chapter 8, part 1
Contracts, public, Title 18
Correctional, adult, See **DETENTION CENTERS; PRISONS AND PRISONERS**
Corrections and Human Services, Department of — rulemaking authority, 53-1-203
Crime victims reparation — resident, patient, or inmate ineligible for, 53-9-125
Custodial interference, 45-5-304, 53-1-102
Deaf and Blind, School for, Title 20, chapter 8, part 1
Dental hygienists, practice in, 37-4-405
Development, Title 90, chapter 5, part 1, See **INDUSTRIES AND INDUSTRIAL DEVELOPMENT, Development projects**
Disabilities, children with — special education, Title 20, chapter 7, part 4
Disability insurance coverage of services, 33-22-112, 33-30-1002
Discriminatory practices prohibited, Const., II, 4, See **DISCRIMINATION**
Donations to, Title 17, chapter 3, part 10
Drugs
  ancillary charges, payment, 53-1-401, 53-1-501, 53-1-502
  unlawful distribution to resident, patient, or inmate, 53-1-103

INSTITUTIONS (Continued)

Eastmont Human Services Center, Title 53, chapter 20, part 5, See **DEVELOPMENTALLY DISABLED PERSONS, Residential facilities**
Elections, effect of commitment on residence, 13-1-112
Eminent domain, grounds exempted when, 70-30-102
Employees, teachers' retirement system — membership required when, 19-20-302, See also **Work programs for residents, patients, or inmates**; specific institution
Endowments, Title 17, chapter 3, part 10, See also **TRUSTS, Institutional funds**
Enumeration, 52-1-105
Escape from
  assistance to resident, patient, or inmate unlawful, 53-1-102, See also **PRISONS AND PRISONERS, Escape**
  notification of, when, 44-2-601
Establishment by state, Const., XII, 3
Family Services, Department of — within, 52-1-105
Fire prevention and safety regulations, 50-3-102, 50-61-103, See **FIRES AND FIRE PROTECTION**
Fiscal affairs, Const., XII, 3; Title 17
Fiscal analysis, Title 5, chapter 12, See **LEGISLATIVE FINANCE**
Fishing permits for residents or patients, 87-2-802, 87-2-804
Food for
  agricultural program for raising, 52-1-103, 53-1-203
  fish, wildlife, and parks — department of, meat from wild animals distributed to, 87-1-226, 87-1-512
  persons in, right to good nutrition, 53-21-142
  prisoners, deprivation prohibited, 53-30-104
  school food services, extension to institutions, 20-10-206
Fraternal benefit societies, operation by, 33-7-210
Gasohol, state vehicles — use requirements, 2-17-414
Gifts or grants, Title 17, chapter 3, part 10
Group homes, Title 53, chapter 20, See **DEVELOPMENTALLY DISABLED PERSONS, Community homes**
Health care information, disclosure to, 50-16-529, See also **HEALTH CARE INFORMATION**
Health care services, utilization reviews, Title 33, chapter 32, See **INSURANCE, DISABILITY, Utilization reviews**
Health inspections, 50-1-202
Health service corporations, coverage of services, 33-30-1002
Industries, Title 53, chapter 1, part 3, See specific institution; **Work programs for residents, patients, or inmates**
Inmates, See this main category generally; **PRISONS AND PRISONERS**
Inspections, joint inspections with other agencies, 50-8-101, 50-8-102, 50-8-105
Insurance
  disability, coverage of services, 33-22-112, 33-30-1002
  health service corporations, coverage of services, 33-30-1002
  professional liability, See **INSURANCE, CASUALTY**
Interference with custody of, 45-5-304, 53-1-102
Interstate Compact on Mental Health, Title 53, chapter 22, part 1
Investigation by gubernatorial committee, Const., VI, 15
Juveniles
  adoption of children maintained in institutions, 40-8-111
  correctional facilities, Title 41, chapter 5, See **YOUTH COURT, Correctional facilities**
  developmental disabilities, Title 53, chapter 20, See **DEVELOPMENTALLY DISABLED PERSONS, Minors**
  disabilities, with — special education, Title 20, chapter 7, part 4, See **SCHOOLS, Special education**

INSTITUTIONS (Continued)
Juveniles (Continued)

- interstate placement, Title 41, chapter 4, part 1, See **MINORS, Interstate Compact on the Placement of Children**
- mental illness, Title 53, chapter 21, See **MENTAL ILLNESS OR INCAPACITY, Minors**
- mountain view school, Title 41, chapter 5, See **YOUTH COURT, Correctional facilities**
- pine hills school, Title 41, chapter 5, See **YOUTH COURT, Correctional facilities**
- school attendance, assistance to facilitate, 20-5-107

Labor, See **Work programs for residents, patients, or inmates**
Land leased or purchased for, 53-1-203
Landlord-tenant provisions, applicability, 70-24-104
Leaving without permission — assistance to resident, patient, or inmate unlawful, 53-1-102, See also **PRISONS AND PRISONERS, Escape**
Legislative Council, investigative authority, 5-11-106
Liability

- generally, See **GOVERNMENT**
- professional, See **INSURANCE, CASUALTY**

Libraries, interlibrary loan reimbursement, 22-1-328
Licensing of facilities, one-step licensing required, 50-8-101, 50-8-102
Long-range building program, Title 17, chapter 7, part 2
Long-range needs, 53-1-203
Meat from wild animals distributed to, 87-1-226, 87-1-512
Medical record information, disclosure to, 50-16-529, See also **HEALTH CARE INFORMATION**
Mental Disabilities Board of Visitors, Title 53, chapter 20, part 1, See **DEVELOPMENTALLY DISABLED PERSONS; MENTAL ILLNESS OR INCAPACITY**
Mental health facilities, Title 53, chapter 21, See **MENTAL ILLNESS OR INCAPACITY, Mental health facilities**
Mining operations which jeopardize, 82-4-227
Minors, See **Juveniles**
Montana Center for the Aged, Title 53, chapter 21, part 4
Montana Developmental Center, Title 53, chapter 20, part 5, **DEVELOPMENTALLY DISABLED PERSONS, Residential facilities**
Montana State Hospital, Title 53, chapter 21, part 6
Montana Veterans' Homes, 53-1-101 — 53-1-103, 53-1-202; Title 10, chapter 2, part 4, See **VETERANS**
Motor vehicles, gasohol use — requirements, 2-17-414
Mountain View School, Title 41, chapter 5, See **YOUTH COURT, Correctional facilities**
One-step licensing of facilities required, 50-8-101, 50-8-102
Patients, See this main category generally; main categories for specific institutions
Payment for care

- ancillary and per diem charges, Title 53, chapter 1, parts 4 and 5
- correctional programs, residential, 53-1-501
- debt collection, Title 17, chapter 4, part 1
- insurance coverage, See **Insurance**
- public assistance payments, 53-2-610

Personal property, sale, 18-6-101, 18-6-102
Pine Hills School, Title 41, chapter 5, See **YOUTH COURT, Correctional facilities**
Printing contracts, Title 18, chapter 7, parts 1 and 3
Prisons and prisoners, state, See **PRISONS AND PRISONERS, State prison**
Products

- Montana-made, preference to, 18-1-112
- produced by, See **Work programs for residents, patients, or inmates**, institutional industries
- purchasing, Title 18, chapters 4 and 5

Professional liability insurance, See **INSURANCE, CASUALTY**

INSTITUTIONS (Continued)

Public employees' retirement system, applicability, 19-3-403
Purchase of goods and services, Title 18, chapters 4 and 5
Real property purchases and leases, 52-1-103, 53-1-203
Release from, See specific institution
Research programs, cooperation and participation in, 20-25-108, 53-1-206
Residence of resident, patient, or inmate — effect of commitment, 13-1-112
Retrenchment of facilities, requirements, 39-2-1001 — 39-2-1004
Revegetation of rights-of-way and disturbed areas, plans, 7-22-2152
Rulemaking authority
  inspections of facilities, 50-8-102, 50-8-105
  licensing of facilities, 50-8-102, 50-8-105
Sale of, Title 77, chapter 2, part 3, See **STATE LANDS**
School food services for institutional schools, 20-10-206
Session laws, copies to, 5-11-203
Sheltered workshops, Title 18, chapter 5, part 1; Title 53, chapter 7, part 2
Silicosis benefits, representative payee for, 39-73-111
State prison, See **PRISONS AND PRISONERS, State prison**
Superintendents, See also main categories for specific institutions
  advisory councils, creation, 2-15-122
  authority, 53-1-204
  release of resident, patient, or inmate — advice, 53-1-410
Teachers
  retirement, See **TEACHERS' RETIREMENT SYSTEM**
  special education, Title 20, chapter 7, part 4, See **SCHOOLS, Special education**
  statewide classification and pay plans, applicability, 2-18-103, 2-18-303, See **PUBLIC OFFICERS OR EMPLOYEES, Classification of employees; Compensation determination**
Torts, See **GOVERNMENT; TORTS**
Treasurer for, 17-6-105
Unemployment insurance coverage exclusions, 39-51-204, See also **UNEMPLOYMENT INSURANCE**
University system, research programs with, 20-25-108, 53-1-206
Veterans as residents, See also **VETERANS**
  burial, Title 10, chapter 2, part 5
  Montana veterans' homes, Title 10, chapter 2, part 4
Visitors, Board of, Title 53, chapter 20, part 1, See **DEVELOPMENTALLY DISABLED PERSONS; MENTAL ILLNESS OR INCAPACITY**
Vital statistics information, reporting, 50-15-108
Warden, See **PRISONS AND PRISONERS, State prison**
Warm Springs State Hospital, Title 53, chapter 21, part 6
Water resources data management system, cooperation, 85-2-112
Work programs for residents, patients, or inmates
  construction projects, 53-1-301
  developmentally disabled persons, Title 53, chapter 20
  institutional industries, Title 53, chapter 1, part 3
  mentally ill persons, Title 53, chapter 21
  prisoners, See **PRISONS AND PRISONERS, Work programs**
  public employees' retirement system, applicability, 19-3-403
  unemployment insurance coverage exclusions, 39-51-204, See also **UNEMPLOYMENT INSURANCE**
  youth correctional facilities, 52-5-120, 52-5-121
Youth, See **Juveniles**
Youth correctional facilities, Title 41, chapter 5, See **YOUTH COURT, Correctional facilities**
Youth residential facilities, Title 41, chapter 3, part 11

INSTRUMENTS
  See also **ACKNOWLEDGMENTS; CONTRACTS; DEEDS AND CONVEYANCES; NEGOTIABLE INSTRUMENTS; TRUSTS**
Abstract defined as, 70-21-101
Agent, by — when binding, 28-10-603
Attestation, 1-4-201, 1-4-202
Cancellation, 27-1-433
Cemetery district permanent care and improvement fund trustees, of appointment, 7-35-2143
Certificate of proof, contents, 1-5-305
Cities and towns, execution, 7-7-4405, 7-7-4622, 7-15-4251, 7-15-4263 — 7-15-4265
City attorney, duty, 7-3-4461
Conservation districts, power to make and execute, 76-15-320
Construction
  circumstances surrounding execution, consideration, 1-4-102
  hydrocarbons distinguished, 1-4-110
  intention of parties, 1-4-103
  notices, terms, 1-4-108
  preference to natural right, 1-4-104
  several provisions, effect, 1-4-101
  terms, 1-4-107
Counties
  abandonment
    assessments, relating to, 7-2-2753
    records, disposition, 7-2-2724
  name change, effect, 7-2-2509
  roads, acquisition of right-of-way — writing required, 7-14-2108
County clerk and recorder, duties, See **COUNTY CLERK AND RECORDER**
County officers
  consolidation of offices, 7-4-2311
  duties, 7-4-2221, 7-4-2222
Damages, value presumed for, 27-1-304
Declaratory judgments upon, 27-8-202
Definitions, 1-1-203, 70-21-101
Escrow businesses, "escrow" defined, 32-7-102, See **ESCROW BUSINESSES**, generally
Execution
  attestation, 1-4-201, 1-4-202
  circumstances surrounding, consideration, 1-4-102
  defined, 1-1-203
  notaries public, certification, 1-5-416
  place of, interpretation of language, 1-4-106
  proof, See **Proof of execution**
  trustee, power of, 72-34-342
"Folio" defined, 1-1-203
Forgery, 45-6-325
General versus particular, provisions, 1-3-225, 1-4-103
Housing authorities, municipal — execution, 7-15-4451, 7-15-4521
Hydrocarbons, construction of terms, 1-4-110
Interpretation
  language, 1-4-106
  reasonableness, 1-3-233
  voidness not preferred, 1-3-232
Judge, interpretation by, 1-4-101, 1-4-102
Leases, goods — nonapplicability, 30-2A-103

INSTRUMENTS (Continued)

Minors, transfers to, See **TRUSTS**
Money, expression of, 30-12-602
Municipal commission-manager government, writing required, 7-3-4461
Notaries public, certification, 1-5-416 — 1-5-418
Notice, construction of terms, 1-4-108
Officers taking proof of execution
    certificate, contents, 1-5-305
    powers, 1-5-304
Parking commissions, execution, 7-14-4621
Particular versus general, provisions, 1-3-225, 1-4-103
Power of attorney, statutory — authority, 72-31-223, 72-31-231, 72-31-232
Presumptions
    truth of contents, 26-1-601
    value, 27-1-304
Printed words versus written words, 1-4-105
"Printing" defined, 1-1-203
Proof of execution
    acknowledgment, lack of, 1-5-301
    certificate, contents, 1-5-305
    handwriting, by, 1-5-302
        facts required, 1-5-303
    officers taking, powers, 1-5-304
    required, 70-21-203
    subscribing witness
        defined, 1-1-203
        proof by, 1-5-301, 1-5-302, 70-21-203
"Property" defined, 45-2-101
Public records, See **PUBLIC RECORDS**
Sales negotiation, See **SALES, Writings and written instruments**
Sealed and unsealed, distinction abolished, 1-4-204, 1-4-206
Sealed, change in, 1-4-206
Seals
    contract for sale, inoperative, 30-2-203
    "execution" defined, 1-1-203
    lease contract, inoperative, 30-2A-203
Secured transactions, See **SECURED TRANSACTIONS**
"Signature" or "subscription" defined, 1-1-203
Statutes of limitations, 27-2-202, 27-2-208
Subdivided lands, Title 76, chapters 3 and 4, See **SUBDIVISIONS, Instruments of transfer**
Subscribing witness, See **Proof of execution**
Terms, construction, 1-4-107, 1-4-108
Timeshare instruments, Title 37, chapter 53
Time when execution may be proved by handwriting, 1-5-302
Trusts, See **TRUSTS, Instrument of trust; Instruments**
Unsealed
    change or discharge by, 1-4-206
    debt, compromise or settlement, 1-4-207
    effect, 1-4-205
    sealed and unsealed, distinction abolished, 1-4-204, 1-4-206
Value, presumption, 27-1-304
Wills, See **ESTATES AND PROBATE**
Writing
    defined, 1-1-203
    language, interpretation, 1-4-106

INSTRUMENTS (Continued)
Writing (Continued)

terms of, 1-4-107
Written
cancellation, 27-1-433
forgery, 45-6-325
liability on, statutes of limitations, 27-2-202, 27-2-208
"property" defined, 45-2-101
Written words versus printed words, 1-4-105

INSURANCE
See also **INSURANCE, CASUALTY; INSURANCE, COMMISSIONER OF; INSURANCE, DEPARTMENT OF; INSURANCE, DISABILITY; INSURANCE GUARANTY ASSOCIATION, CASUALTY AND PROPERTY; INSURANCE GUARANTY ASSOCIATION, LIFE AND HEALTH; INSURANCE, LIFE; INSURANCE, MARINE; INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS, AND ADMINISTRATORS; INSURANCE, PROPERTY; INSURANCE, SURPLUS LINES; INSURANCE, TITLE; INSURERS, DOMESTIC STOCK AND MUTUAL; INSURERS, FARM MUTUAL; INSURERS ORGANIZATION AND REGULATION GENERALLY; INSURERS, RECIPROCAL; INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION; SURETYSHIP AND SURETIES, Surety insurance**
Actions
applications as evidence, when, 33-15-402
benefits, recovery — when, 33-15-201
information and privacy protection
immunity from, when, 33-19-408
violations, relief, 33-19-407
rating or advisory organizations
actions under authority of, 33-16-115
penalty, collection, 33-16-114
Advertising, false or deceptive — prohibited, 33-18-202, 33-18-203
Advisory organizations, See **Rating or advisory organizations**
Agricultural commodities, requirements, Title 80, chapter 4
Agriculture, Department of — required when, 80-4-538
AIDS testing, consent, 50-16-1003, 50-16-1007
Air carriers, requirements, 67-3-401 — 67-3-405
Applications, 33-15-401
AIDS testing, consent, 50-16-1003, 50-16-1007
consumer report, effect, 31-3-131
evidence, as — when, 33-15-402
false or fraudulent, 33-15-403, 33-18-401
forms — filing, approval, or disapproval, 33-1-501, 33-1-502
misrepresentations, 33-15-403
notice of information practices, 33-19-202
representations in, 33-15-403
Arrest bond certificates, 46-9-412, 46-9-414
Assignability, See **Beneficiaries or assignees; Policies**
Attorney-in-fact, See **Power of attorney**
Beneficiaries or assignees, See also **Claims and benefits**
applications, requests for copies, 33-15-402
assignment of policy, effect, 33-15-414, 33-15-514
charitable institution as beneficiary, 33-15-201
execution, benefits exempt from, 33-15-511 — 33-15-514
recovery of benefits from, when, 33-15-201
trust or trustee as beneficiary, 72-33-203, 72-33-207
Benefits, See **Beneficiaries or assignees; Claims and benefits**

INSURANCE (Continued)

Binders for temporary insurance, 33-15-411, 33-21-205
Charitable institutions, purchase for individuals — insurable interest, 33-15-201
Citation of Montana Insurance Code, 33-1-101
Cities and towns, See **GOVERNMENT**
Claims and benefits, See also **Beneficiaries or assignees; INSURERS ORGANIZATION AND REGULATION GENERALLY, Losses and claims**
  administration not a waiver, 33-15-504
  bad faith
    actions not allowed when, 33-18-242
    in settlement, 33-18-201
  contesting, 33-18-242
  discharge of insurer, 33-15-501
  discrimination prohibited, 33-1-502, 33-18-206, 33-18-210, 49-2-309
  execution, proceeds exempt from, 33-15-511 — 33-15-514
  facility-of-payment clause, 33-15-511, 33-15-512
  failure to pay promptly, 33-18-233
  false or fraudulent, penalty, 33-18-401
  fraudulent practices, 33-15-511, 33-15-514, 33-18-242, 33-18-401
  loss
    acknowledgment, 33-15-504
    investigation, 33-15-504
    proof of, 33-15-503, 33-15-504, 33-18-231, 33-18-232
    statistics, 33-16-232 — 33-16-236
  minors, 33-15-502
  noncompetitive lines, 33-16-233 — 33-16-236
  nonpayment, 33-2-119, 33-18-232, 33-18-233
  notice of information practices, 33-19-202
  payment, 33-15-501, 33-15-502, 33-18-231 — 33-18-235
  ratemaking based on, 33-16-232 — 33-16-236
  settlement, unfair practices
    prohibited, 27-1-220, 33-18-201
    violation, independent cause of action for damages, 33-18-242
  transfer excluded as secured transaction, 30-9-104
  unpaid, interest, 33-18-232
  volatile lines, 33-16-233 — 33-16-236
Common trust funds, exclusion as, 32-1-708
Compliance with Montana Insurance Code, 33-1-102
Condominiums, 70-23-612, 70-23-805
Confidentiality, See **Information and privacy protection**
Conservator's power, 72-5-427
Consideration for, See **Premiums**
Consumer loan businesses, limitations, 32-5-306
Consumer reports, See **Information and privacy protection**; See also **CONSUMER PROTECTION, Investigation and reporting**
Contract of insurance
  agreements, to contain, 33-18-208
  applications for, See **Applications**
  breach, 33-15-1101, 33-15-1103, 33-18-242
  claims, See **Claims and benefits**
  definitions, 33-15-102, 33-15-201, 33-15-205
  discrimination, 33-1-502, 33-15-1101, 33-18-206, 33-18-209, 33-18-210, 33-18-501, 49-2-309
  insurable interests, See **Insurable interests**
  lenders, unreasonable rejection, 33-18-501
  minors, 33-15-103, 33-15-401, 33-15-502
  plain language in contracts provisions, nonapplicability, 30-14-1104

INSURANCE (Continued)
Contract of insurance (Continued)

- policies, 33-15-302, See **Policies**
- power to, 33-15-103
- premiums, See **Premium finance companies; Premiums**; See also **Rates and rating plans**
- punitive damages, coverage of — inclusion, 33-15-317
- rates, See **Rates and rating plans**
- scope of provisions, 33-15-101
- temporary insurance, binders for, 33-15-411, 33-21-205
- unauthorized insurers, by, 33-1-612
- variable contracts, 33-20-601 — 33-20-606
- writing, 33-1-613

Corporate power to establish plans, 35-1-115
Cost of doing business, 30-14-202
Counties, See **GOVERNMENT**
Coverages, definitions of kinds of insurance not mutually exclusive, 33-1-205
Credit unions, See **CREDIT UNIONS**
Crime Control, Division of — requests for information, 53-9-104
Damages

- collateral source reduction, insurance payments as, 27-1-307, 27-1-308
- punitive, coverage of, 33-15-317

Day-care facilities, requirements for licensing, 52-2-723, 52-2-724
Discrimination, See **DISCRIMINATION, Insurance; Insurers**
Dividends

- discrimination prohibited, 33-18-206, 33-18-210
- rates, consideration in making and use, 33-16-201
- rating plans or systems, payments not, 33-16-104
- rebates prohibited, 33-18-210

Elderly drivers, reduction in premium rates, 33-16-203, 33-16-221 — 33-16-225
Emergency medical services, 50-6-323
English language, See **Policies**, language simplification
Escrow accounts, premium payments from, 32-7-121
Estates and probate, assets of, See **ESTATES AND PROBATE, Insurance**
Evidence, admissibility of agreements, 33-15-402; Title 25, chapter 20, M.R.Civ.P., Rule 26(b)
Exceptions to Montana Insurance Code, 33-1-102, 33-6-101, 33-7-117, 33-7-126
Factor's authority, 30-11-606
Federal Deposit Insurance Corporation, Title 32, chapter 1, part 6
Finance companies, limitations, 32-5-306, See also **Premium finance companies**
Fire Services Training Advisory Council, representation on, 2-15-1519
Fraternal benefit societies, applicability, 33-7-117
Government, See **GOVERNMENT**
Hail, Title 80, chapter 2, part 2, See also **INSURERS, FARM MUTUAL**
Hazardous substance releases, remedial action sites — liable person's financial assurance, 75-10-719, 75-10-721
Health Care Information Act, Uniform, Title 50, chapter 16, part 5
HIV-related testing, consent, 50-16-1003, 50-16-1007
Horseracing, public liability insurance required for meet, 23-4-205
Inducements prohibited, 33-18-211
Industrial accidents and illnesses, See **Workers' compensation** entries; **OCCUPATIONAL DISEASE; WORKERS' COMPENSATION**
Information and privacy protection

- actions, 33-19-407, 33-19-408
- adverse underwriting decisions, 33-19-104, 33-19-303 — 33-19-305
- applicants, 33-19-104, 33-19-202
- authorization forms, content and disclosure, 33-19-204
- citation of insurance information and privacy protection act, 33-19-101

INSURANCE (Continued)
Information and privacy protection (Continued)

claims, delayed payments — applicability of provisions, 33-18-234
crime control, division of — requests for information, 53-9-104
definitions, 33-19-104
disclosure, 33-19-204, 33-19-301, 33-19-302, 33-19-306, 33-19-408
enforcement, 33-19-401 — 33-19-406
false information, 33-19-408
false pretenses, obtaining information under, 33-19-409
health care information act, uniform, Title 50, chapter 16, part 5
immunity from action or relief when, 33-19-408
investigative consumer reports, 33-19-104, 33-19-205
marketing and research surveys, 33-19-203, 33-19-306
medical record information, 33-19-104, 33-19-301, 33-19-303
notice of information practices, 33-19-202
penalties, 33-19-405
personal information, 33-19-104, 33-19-202, 33-19-204, 33-19-301, 33-19-302, 33-19-306
policyholders, 33-19-104, 33-19-202
pretext interviews, 33-19-104, 33-19-201
privileged information, 33-19-104, 33-19-204, 33-19-306
purpose of provisions, 33-19-102
residual market mechanism, 33-19-104, 33-19-304, 33-19-305
rights of individuals and natural persons, 33-19-301, 33-19-302, 33-19-404 — 33-19-407
scope of provisions, 33-19-103
service of process, 33-19-403
utilization reviews, applicability, 33-32-201
violations, 33-19-405, 33-19-407 — 33-19-409

Insurable interests, 33-15-201, 33-15-205
leases, 30-2A-218, 30-2A-220, 30-2A-531
personal insurance, restrictions, 33-15-201, 33-15-401
property insurance, 33-15-205 — 33-15-207

Investigators, private — nonapplicability of provisions, 37-60-105
Irrigation district undertakings, 85-7-1419
Jurisdiction of courts, Title 25, chapter 20, M.R.Civ.P., Rule 4B
Kinds of, definitions not mutually exclusive, 33-1-205
Leases
agreement for payment or beneficiary, 30-2A-218
insurable interest, 30-2A-218, 30-2A-220, 30-2A-531

Lenders, restrictions, 33-18-501
Limited liability companies, purpose of organization, 35-8-106
Loan companies, limitations, 32-5-306
Local government financial assistance, audits and reports relating to, Title 2, chapter 7, part 5
Losses, See **Claims and benefits**
Loss of income insurance on consumer loans, 32-5-306
Minors
applications, 33-15-401
claims and benefits, acquittance for payments, 33-15-502
contracts, power to make, 33-15-103
day-care facilities, requirements, 52-2-723, 52-2-724
transfers to, 72-26-603, 72-26-702, See **TRUSTS, Minors, transfers to**

Mortgagor
on loan guaranteed by
federal housing administrator, 32-1-434
national housing act, 32-2-501, 32-2-503
policy, copy to — when, 33-15-412

Motor carriers, 69-12-402

INSURANCE (Continued)

Noncompetitive lines, ratemaking, 33-16-231 — 33-16-236
Nongender insurance law, 49-2-309
Parking commission property or projects, 7-14-4622, 7-14-4634, 7-14-4656
Personal solicitation sales, exemption, 30-14-502
Petroleum Tank Release Compensation Board, representation on, 2-15-2108
Policies
  advertising, false or deceptive — prohibited, 33-18-202
  applications for, See **Applications**
  arbitration laws, nonapplicability, 27-5-114
  assets as insurer's assets, 33-2-501
  assignability, 33-15-414, 33-15-514, 33-20-131, 33-22-215
  assignees, See **Beneficiaries or assignees**
  attorney-in-fact, 33-15-306
  beneficiaries, See **Beneficiaries or assignees**
  benefits, See **Claims and benefits**
  binders for temporary insurance, 33-15-411, 33-21-205
  cancellation or nonrenewal, 33-15-1101 — 33-15-1107, 33-15-1111, 33-15-1121, 33-23-401
  claims, See **Claims and benefits**
  combination policies, 33-15-307
  construction, 33-15-316
  content, 33-15-302 — 33-15-305
  contract contained in, 33-15-302
  countersignature requirements, 31-1-233, 33-11-106, 33-17-404, 33-17-1111 — 33-17-1114
  definitions, 33-15-102, 33-15-323, 33-15-325, 33-15-335, 33-15-337, 33-15-1102
  delivery, 33-15-412
  discrimination, 33-1-502, 33-15-1101, 33-18-206, 33-18-209, 33-18-210, 33-18-501, 49-2-309, See also **DISCRIMINATION**, **Insurance**; **Insurers**
  duplicates, 33-15-412
  endorsements, 33-1-501, 33-1-502, 33-2-708, 33-15-102, 33-15-302, 33-15-315
  execution, 33-15-306
  facsimile signatures, 33-15-306
  fees, discrimination prohibited, 33-18-206
  forms, 33-15-323
    casualty insurance, provision for defense costs within limits permitted when, 33-1-502
    domestic insurers, transfer of domicile — effect, 33-2-127
    filing, 33-1-501, 33-1-502, 33-2-708, 33-15-328
    identification, 33-15-303
    noncomplying, validity, 33-15-315
  home or branch office, issuance at, 33-17-1114
  insurable interests, 33-15-201, 33-15-205 — 33-15-207, 33-15-401
  invalid provisions, 33-15-305
  language simplification
    applicability schedule, 33-15-329
    application of provisions, 33-15-324, 33-15-336
    citations
      life and disability insurance policy language simplification act, 33-15-321
      property and casualty insurance policy language simplification act, 33-15-333
    compliance with other statutorily required language, 33-15-339
    construction of provisions, 33-15-326
    coverage or liability not imputed, 33-15-340
    definitions, 33-15-323, 33-15-325, 33-15-335, 33-15-337
    enforcement, 33-15-338
    exceptions, 33-15-324, 33-15-336
    flesch reading ease test and score, 33-15-325, 33-15-327, 33-15-337, 33-15-338
    forms, approval, 33-15-328

INSURANCE (Continued)
Policies (Continued)
  language simplification (Continued)
    nonenglish policies, 33-15-324, 33-15-336
    property and casualty insurance, 33-15-333 — 33-15-340
    purpose of provisions, 33-15-322, 33-15-334
    standards, minimum, 33-15-325, 33-15-337
  liability risk retention groups, 33-11-104, 33-11-106
  liquidation of insurer, coverage during, 33-2-1343
  marital status, discrimination, 33-1-502, 33-18-210, 49-2-309
  minors, transfers to, 72-26-603, 72-26-702
  misrepresentations prohibited, 33-18-202, 33-18-204
  mortgagor, copy to — when, 33-15-412
  notice of information practices, 33-19-202
  outside state, originating, 33-17-1113
  plain language in contracts provisions, nonapplicability, 30-14-1104
  pledgor, copy to — when, 33-15-412
  premiums, See **Premium finance companies; Premiums**
  prohibited practices, 33-18-202
  punitive damages, coverage of, 33-15-317
  recovery under, precluded when, 33-15-403
  reinstatement, 33-15-402
  renewal, 33-1-501, 33-1-502, 33-15-317, 33-15-402, 33-15-413, 33-15-1101, 33-15-1102, 33-15-1105, 33-15-1106
  riders, 33-1-501, 33-1-502, 33-2-708, 33-15-102, 33-15-302, 33-15-315
  sex, discrimination prohibited, 33-1-502, 49-2-309
  specimen copies required when, 33-2-115
  standard provisions, 33-15-301
  temporary insurance, binders, 33-15-411, 33-21-205
  twisting prohibited, 33-18-204
  underwriters' policies, 33-15-307
  unisex insurance, 49-2-309
  vendee, copy to — when, 33-15-412
  waiver of provisions, 33-15-301, 33-15-504
  workers' compensation, safety program requirement, 33-15-318
Power of attorney
  policies, execution, 33-15-306
  premium finance agreements, 33-14-304
  statutory, authority, 72-31-201, 72-31-224, 72-31-225, 72-31-229, 72-31-230
Premium finance companies
  cancellation, 33-14-303 — 33-14-305
  citation of insurance premium finance company act, 33-14-101
  definitions, 33-14-102, 33-14-301
  delinquency charge, 33-14-303
  discriminatory practices, See **DISCRIMINATION, Financial institutions**
  examination or investigation, 33-14-202 — 33-14-204
  exceptions, 33-14-307
  finance agreements, 33-14-102, 33-14-201, 33-14-301 — 33-14-304, 33-14-306
  finance charges, 33-14-302
  holding company systems, acquisition by, 33-2-1102
  licenses, 33-14-102, 33-14-201 — 33-14-204, 49-3-204
  records, 33-14-204
  refund of premiums when, 33-14-305
  service charge, 33-14-302
  unearned premiums, 33-14-102, 33-14-305
  violations, 33-1-318, 33-14-201, 33-14-203

INSURANCE (Continued)

Premiums, See also **Rates and rating plans**; See also **INSURERS ORGANIZATION AND REGULATION GENERALLY**
  abatement, 33-18-209, 33-18-210
  annual premium, increase not allowed when, 33-15-1104
  bonuses, 33-18-209
  consumer loan business loans, in lieu of filing or recording security, 32-5-301
  credit extended to policyholders, 33-18-213
  definitions, 33-10-202, 33-15-102, 33-15-1102
  discount for elderly drivers, 33-16-203, 33-16-221 — 33-16-225
  discrimination prohibited, 33-1-502, 33-18-206, 33-18-207, 33-18-209, 33-18-210, 49-2-309
  escrow accounts, payments from, 32-7-121
  failure to pay when due, 33-15-1103, 33-15-1105, 33-15-1107
  illegal dealing in, 33-18-212
  increase, notice to insured and effective date, 33-15-1106
  midterm increases prohibited, 33-15-1101, 33-15-1121
  motor vehicle liability insurance, 33-23-211, 33-23-212, 33-23-214, 33-23-217
  notice of premium due, 33-15-1105
  policies, specified in, 33-15-303
  policyholders, credit extended to, 33-18-213
  prepaid, 33-15-1103
  rebates prohibited, 33-18-208, 33-18-210
  reduction, 33-16-203, 33-16-221 — 33-16-225, 33-18-210
  renewal, 33-15-1105
  retail installment sales, in lieu of filing or recording title or lien, 31-1-202
  rights of insured, 33-15-1101
  risks, classification for establishment, 33-16-201
  termination of policy, calculation of earned premium, 33-15-1106
  unabsorbed deposits, 33-16-104, 33-16-201, 33-18-210
Principal and income determinations, 72-34-404, 72-34-416
Privacy, See **Information and privacy protection**
Private investigators and security patrol officers
  coverage required, 37-60-202
  nonapplicability of provisions, 37-60-105
Prohibited practices, See **INSURERS ORGANIZATION AND REGULATION GENERALLY**
Public assistance eligibility, effect of insurance settlements on, See **PUBLIC ASSISTANCE**
Rates and rating plans, See also **Premiums**
  actuarial review, 33-16-236
  administration of provisions, 33-16-116
  advisory organizations, See **Rating or advisory organizations**
  application of provisions, 33-16-103
  complaints, 33-16-204
  definitions, 33-15-1102, 33-16-102, 33-16-233
  deviations, filing, 33-16-203
  discount, 33-16-203, 33-16-221 — 33-16-225
  discrimination prohibited, 33-1-502, 33-4-510, 33-16-101, 33-16-201, 33-16-232, 33-16-1004, 33-18-206, 33-18-207, 33-18-210, 33-25-212, 49-2-309
  dividends, 33-16-104, 33-16-201
  domestic insurers, transfer of domicile — effect, 33-2-127
  elderly drivers, 33-16-203, 33-16-221 — 33-16-225
  enforcement of provisions, 33-16-116
  examinations, 33-16-205
  excessive, 33-16-201, 33-16-232
  expense experience, 33-16-201, 33-16-202, 33-16-234, 33-16-235

INSURANCE (Continued)
Rates and rating plans (Continued)

- fictitious groups, preferred rates prohibited, 33-18-207
- filing, 33-2-708, 33-16-203, 33-16-234, 33-21-205, 33-21-206, 33-25-212
- good faith complaints, 33-16-204
- group rates and forms, preferred — approval, 33-18-207
- hazards, consideration, 33-16-201
- hearings, 33-16-204, 33-16-206, 33-16-234
- inadequate, 33-16-201, 33-16-232
- insurers acting in concert, 33-16-301, 33-16-302, 33-16-405
- intent of provisions, 33-16-101, 33-16-232
- joint underwriting associations, See **Rating or advisory organizations**
- loss experience, 33-16-201, 33-16-202, 33-16-232, 33-16-234, 33-16-235
- mature defensive driving act, 33-16-203, 33-16-221 — 33-16-225
- noncompetitive lines, 33-16-231 — 33-16-236
- noncompliance, 33-16-205, 33-16-206
- notices, 33-16-205, 33-16-206
- policy renewals with altered terms, 33-15-1106
- preferred rates, 33-18-207
- purpose of provisions, 33-16-101, 33-16-232
- ratemaking act, 33-16-231 — 33-16-236
- rating organizations, See **Rating or advisory organizations**
- reduction, 33-16-203, 33-16-221 — 33-16-225
- reserve revenues and profits, consideration, 33-16-201
- review, 33-16-204, 33-16-236
- risk retention groups, 33-11-102
- risks, grouping, 33-16-201
- rules and plans, 33-16-202, 33-16-234, 33-16-235
- savings, 33-16-104, 33-16-201
- standards applicable to, 33-16-201
- title insurance, 33-25-212
- unabsorbed premium deposits, 33-16-104, 33-16-201
- underwriting profit and contingencies, consideration, 33-16-201
- unisex insurance, 49-2-309
- use prohibited when, 33-16-211
- violations, 33-1-318, 33-16-211
- volatile lines, 33-16-231 — 33-16-236
- workers' compensation, See **Workers' compensation**, plan no. 2 insurers

Rating or advisory organizations
- actions by, 33-16-115
- administration of provisions, 33-16-116
- advisory organizations, 33-16-102, 33-16-308
- appeals, 33-16-113
- application of provisions, 33-16-103
- authorization, 33-16-101, 33-16-115
- casualty insurance, agreement for apportionment, 33-16-305
- consultations, 33-16-304
- definitions, 33-16-102
- discrimination, 33-16-402, 49-3-204
- enforcement of provisions, 33-16-116
- examinations, 33-16-105, 33-16-106, 33-16-205, 33-16-403
- exchange of data, 33-16-304
- false information, 33-16-107
- filing, 33-1-501, 33-16-203
- forms, 33-1-501
- fraudulent practices, 33-16-111
- hearings, 33-16-111, 33-16-204, 33-16-206, 33-16-305, 33-16-403

INSURANCE (Continued)
Rating or advisory organizations (Continued)

  information, 33-16-106, 33-16-107
  insurance producer provisions, exemptions, 33-17-103
  insurers acting in concert, 33-16-301, 33-16-302, 33-16-405
  insurer's certificate of authority, revocation or suspension, 33-16-111, 33-16-112
  joint reinsurers and reinsurance, 33-16-306, 33-16-307
  joint underwriters and underwriting, 33-16-306, 33-16-307
  licenses, 33-16-111, 33-16-112, 33-16-401 — 33-16-403, 49-3-204
  loss and expense experience, assistance in compiling, 33-16-202
  membership eligibility, 33-16-404, 33-16-405
  notices, 33-16-305, 33-16-403
  orders, 33-16-111 — 33-16-114, 33-16-211, 33-16-305
  penalty, 33-16-114
  policy or bond forms, use, 33-16-303
  rates and rating plans, use, 33-16-303, See also **Rates and rating plans**
  records, 33-16-105, 33-16-106
  services, availability, 33-16-101
  title insurance provisions, applicability, 33-25-106
  underwriting rules, use, 33-16-303
  violations, 33-1-318, 33-16-111, 33-16-114
  workers' compensation, applicability, 33-16-1002, See **Workers' compensation**, plan no. 2 insurers
Rebates prohibited, 33-18-208, 33-18-210
Sale of goods, c.i.f. terms, 30-2-320
Secured transactions
  claims transfer, exclusion, 30-9-104
  collateral, 30-9-207
Securities registration, exemption, 30-10-105
Short title, 33-1-101
State, for, See **GOVERNMENT**
Timeshare owners, 37-53-303
Twisting prohibited, 33-18-204
Unemployment, See **UNEMPLOYMENT INSURANCE**
Violations of Montana Insurance Code
  administrative penalties, 33-1-104, 33-1-313, 33-18-233
  cease and desist orders, 33-1-318, 33-2-1120, 33-17-209, 33-18-1004, 33-18-1005, 33-30-112, 33-31-405
  claims, failure to pay promptly, 33-18-233
  false or fraudulent applications, claims, and proofs of loss, 33-18-401
  fines, See **INSURANCE, COMMISSIONER OF**
  information and privacy protection, obtaining information under false pretenses, 33-19-409
  injunctions, 33-1-318, 33-2-1118, 33-2-1119, 33-2-1321, 33-7-120, 33-7-122, 33-11-104, 33-25-402, 33-30-113, 33-31-405
  investigation, 33-1-303, 33-1-311
  penalties, 33-1-104, 33-1-313, 33-1-317, 33-1-318, 33-18-233
  premium finance companies, failure to have license, 33-14-201
  rating or advisory organizations, 33-16-111, 33-16-114, 33-16-211
  rules, 33-1-313
  surplus lines insurance producers, by, 33-2-308
  witnesses — failure to appear and testify, produce evidence, or false information, 33-1-315
Volatile lines, ratemaking, 33-16-231 — 33-16-236
Wastewater treatment works revolving loan program, financial assistance for municipal obligations, 75-5-1107, 75-5-1111

INSURANCE (Continued)

Workers' compensation, plan no. 2 insurers, See also generally **INSURANCE, CASUALTY; WORKERS' COMPENSATION**
  claims, insolvent insurers, See **INSURANCE GUARANTY ASSOCIATION, CASUALTY AND PROPERTY, Claims**
  classification and rating committee, 33-16-1011, 33-16-1012
  construction industry, premium rates, 39-71-2211
  disability insurance, nonapplicability of provisions, 33-22-101
  rates, 33-16-1001 — 33-16-1004, 39-71-2211
  rating organizations, 33-16-1001, 33-16-1003, 33-16-1005, 39-71-2211
  self-insurers guaranty fund, purchase of insurance, 39-71-2610
Workers' compensation, plan no. 3 insurers — state fund, See **WORKERS' COMPENSATION**
Workers' compensation plans, nonapplicability, 33-1-102
Workers' compensation policies. safety program requirement, 33-15-318

INSURANCE, CASUALTY
  See also generally **INSURANCE; INSURANCE, DISABILITY; INSURANCE, MARINE**
Actions
  existence of insurance not to be made evident, 33-23-102
  unfounded, not to be ground for insurance cancellation or premium rate increases, 33-23-301
Air carriers, requirements, 67-3-401 — 67-3-405
Alcoholic beverages
  agency franchise agreement requirements, 16-2-101
  businesses, liability insurance, 16-4-210
Business improvement districts, requirements, 7-12-1143
Coal mining permit, liability insurance requirement, 82-4-222
Corporate indemnification of directors, officers, employees, and agents, 35-1-458
Credit unions, requirements, 32-3-201, 32-3-610
Day-care facilities, liability insurance, 52-2-723, 52-2-724
Definitions, 33-1-206, 33-11-102, 33-15-1102, 33-23-311, 33-27-103
Detention centers, private parties operating — requirements, 7-32-2232
Discrimination, 33-1-502, 33-11-107, 33-15-1101, 33-18-207, 33-18-210, 49-2-309, See **DISCRIMINATION, Insurance; Insurers**
Dividends, discrimination prohibited, 33-18-210
Drug distribution, wholesale — license requirement, 37-7-604
Elderly drivers, reduction in premium rates, 33-16-203, 33-16-221 — 33-16-225
Elevators, inspection, 50-60-701, 50-60-702
Errors and omissions coverage, 30-9-403
Evidence, admissibility in, Title 26, chapter 10, M.R.Ev., Rule 411
Existence of insurance not to be made evident, 33-23-102
Farm mutual insurers, Title 33, chapter 4
Fraternal benefit societies, purchase, 33-7-307
Government, liability insurance, See **GOVERNMENT**
Group liability insurance, See **Risk retention groups and purchasing groups**
Guaranty association, Title 33, chapter 10, part 1
Home insurance, notice requirements for cancellation or nonrenewal, 33-23-401
Horseracing, public liability insurance required for meet, 23-4-205
Hospital districts, requirements, 7-34-2122
Information and Privacy Protection Act, Title 33, chapter 19
Insurers, See also **Risk retention groups and purchasing groups**
  home insurance, notice requirements for cancellation or nonrenewal, 33-23-401
  motor vehicles, transfer of ownership when, 61-3-205
  professional liability, 33-9-101 — 33-9-105, 33-23-301, 33-23-302, 33-23-311

INSURANCE, CASUALTY (Continued)

Lenders, restrictions, 33-18-501
Mature Defensive Driving Act, 33-16-203, 33-16-221 — 33-16-225
Medical liability, See **Professional liability**
Motorist information signs, franchisee — requirements, 60-5-509
Motor vehicle liability, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Liability insurance**
Nonprofit corporations, indemnification of directors, 35-2-453
Policies
  cancellation, renewal, or nonrenewal, 33-15-1101 — 33-15-1107, 33-15-1121, 33-23-401
  defense costs, 33-1-502, 33-11-102, See also **Risk retention groups and purchasing groups**
  home insurance, 33-15-1111, 33-23-401
  language simplification, 33-15-333 — 33-15-340
  motor vehicle, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Liability insurance**
Preferred rates prohibited when, 33-18-207
Premiums
  abatement, rebates, and reduction prohibited, 33-18-210
  annual premium, increase not allowed when, 33-15-1104
  definitions, 33-15-1102
  discrimination, 33-18-207, 33-18-210
  failure to pay when due, 33-15-1103, 33-15-1105, 33-15-1107
  increase, notice to insured and effective date, 33-15-1106
  midterm increases prohibited, 33-15-1101, 33-15-1121
  motor vehicle liability insurance, nonpayment, 33-23-211, 33-23-212, 33-23-214, 33-23-217
  notice of premium due, 33-15-1105
  prepaid, 33-15-1103
  renewal, 33-15-1105
  rights of insured, 33-15-1101
  termination of policy, calculation of earned premium, 33-15-1106
  unearned, return, 33-23-217
Product liability, 33-2-721 — 33-2-723
Professional liability
  alteration of policy, 33-23-302
  cancellation of policy, 33-23-301, 33-23-302
  claims, 33-23-301, 37-3-402
  insurers, 33-9-101 — 33-9-105, 33-23-301, 33-23-302, 33-23-311
  premium rates, increase prohibited when, 33-23-301, 33-23-302
Purchasing groups, See **Risk retention groups and purchasing groups**
Rating or advisory organizations, agreements for apportionment, 33-16-305
Rebates prohibited, 33-18-210
Renewal refused when, 33-18-102
Risk retention groups and purchasing groups
  annual statements, 33-11-104
  audits, 33-11-104
  authority of commissioner of insurance, 33-11-121
  business in state not allowed when, 33-11-104
  charter, requirements, 33-11-103, 33-11-104
  compulsory participation in associations, 33-11-105
  deceptive practices, 33-11-104
  definitions, 33-11-102, 33-11-109
  delinquency proceedings, 33-11-104
  depositions, 33-11-121
  dissolution proceedings, 33-11-104
  examinations, 33-2-708, 33-11-104

INSURANCE, CASUALTY (Continued)
Risk retention groups and purchasing groups (Continued)

- fees, 33-2-708
- filings, 33-11-103, 33-11-104
- financial conditions, hazardous or impaired, 33-11-103, 33-11-104, 33-11-124
- financial statements, 33-11-104
- fines, 33-11-104, 33-11-122
- fraud, 33-11-104
- hearings, 33-11-121
- injunction, 33-11-104, 33-11-121, 33-11-124
- insolvency guaranty fund, participation in or benefits from, 33-11-104, 33-11-105
- insurance producers, 33-11-104, 33-11-109, 33-11-110, 33-11-123
- investigations, 33-11-121
- licensing, 33-11-103, 33-11-122
- miscellaneous charges, 33-2-708
- orders, 33-11-121, 33-11-124
- out-of-state groups doing business in state, requirements, 33-11-104
- penalties, 33-11-104, 33-11-121, 33-11-122
- plan of operation or feasibility study, 33-11-102 — 33-11-104
- policies, 33-11-104, 33-11-106
- premiums, tax and reports, 33-11-104, 33-11-110
- prohibited practices, 33-11-104
- purchasing groups, 33-11-102, 33-11-105, 33-11-107 — 33-11-110
- purpose of provisions, 33-11-101
- registration requirements, 33-11-104, 33-11-108
- regulations, 33-11-125
- reports and records, 33-11-104
- representatives, 33-11-104
- rules, 33-11-125
- service of process, 33-11-104, 33-11-108
- solicitation or sale of insurance unlawful when, 33-11-104, 33-11-124
- subpoenas, 33-11-121
- united states district court, enforceability of orders issued by, 33-11-124
- violations, 33-11-122

School trustees, requirements, 20-3-331
Small business independent liability funds

- additions to, 33-27-113
- administration costs, 15-30-127, 15-31-117, 33-27-117
- citation of independent liability fund act, 33-27-101
- composition, 33-27-115
- contributions, taxation, 15-30-127, 15-31-117, 33-27-118
- definitions, 33-27-103
- establishment, 33-27-111, 33-27-112
- income, treatment, 15-30-127, 15-31-117
- inviolability, 33-27-104, 33-27-116, 33-27-119
- liability claims, 33-27-103, 33-27-111, 33-27-117, 33-27-119
- limitations, 33-27-114
- purpose of provisions, 33-27-102
- rules, 33-27-104
- sanctions, 33-27-104
- taxation, 15-30-107, 15-30-127, 15-31-117, 15-31-118
- termination, 15-30-107, 15-31-118, 33-27-119
- trust to administer principal upon termination, 33-27-119

Surplus lines insurance provisions, applicability, 33-2-317
Trustees, liability insurance for, 72-34-331
Vending machines, 33-2-708, 33-17-221

INSURANCE, COMMISSIONER OF
Actions, 33-1-409
  appeals from, See **Appeals**
  evidence, findings of fact and conclusions pursuant to examinations, 33-1-408
  examination expenses and charges, recovery, 33-1-413
  fines, recovery, 33-1-318
  hearings, from, 33-1-706
  injunction, for, 33-1-318, 33-31-405
  insolvent insurers, collection of unpaid premiums due, 33-2-1362
  insurance producers, termination of appointment, 33-17-231, 33-17-237
  judicial review, 33-10-109, 33-10-228, 33-21-112, 33-21-113, 33-21-205, 33-30-106
  liquidation and rehabilitation, See **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
  premium tax and penalty, recovery, 33-2-312
    independently procured coverages, 33-2-706
    surplus lines, 33-2-312
  prohibited practices, to enjoin and restrain, 33-18-1003
  service of process, See **Service of process on**
  stayed, when, 33-1-702
  surplus lines insurers, eligible — no action may lie in issuance of list, 33-2-307
Adjuster's license, duties, 33-17-102, 33-17-301, 33-17-1001 — 33-17-1003, 49-3-204
Administrators, duties, 33-1-318, 33-17-102, 33-17-603, 33-17-604, 33-17-611, 49-3-204
Advisory council for prelicensing education courses, 33-17-209
Alien insurers, duties, 33-1-401, 33-9-105; Title 33, chapter 2, part 2
Ancillary proceedings, institution, 33-2-1383
Ancillary receiver, petition for appointment, 33-2-1382
Appeals, 33-1-711
  assigned risk plans, from orders or acts pertaining to, 61-6-144
  fines, from orders imposing, 33-1-317, 33-1-318
  guaranty association member insurers, by, 33-10-106, 33-10-228
  holding company systems, from actions pertaining to, 33-2-1123
  rating or advisory organizations, from orders pertaining to, 33-16-113
  unfair practices, from intervenors in actions, 33-18-1003, 33-18-1004
  violations, orders to cure, 33-1-409
Appointment of personnel, 33-1-303
Assigned risk plans, 33-2-119, 39-71-431, 61-6-144
Audits, 33-2-531, 33-2-1378, 33-17-611, 33-22-1502
Authority, delegation, 33-1-304
Benevolent associations, duties, Title 33, chapter 6
Bonds, additional — required when, 33-2-1311, See also **SURETY BONDS**, **Official bonds**
Cease and desist orders, 33-1-318, 33-2-1120, 33-17-209, 33-17-1204, 33-18-1004 — 33-18-1006, 33-30-112, 33-31-405
Certification of records, documents, or insurer's authority, 33-1-312
Chief clerk for department, appointment, 33-1-303
Compensation, 33-1-305
Complaints filed with, 33-16-204, 33-18-501
Comprehensive health association, duties, Title 33, chapter 22, part 15
Conflicts of interest, 33-1-305, 33-1-410
Consultants, duties, 33-1-318, 33-17-102, 33-17-1001, 33-17-1002; Title 33, chapter 17, part 5
Credit life and disability insurance, duties, 32-5-504, 33-21-111 — 33-21-113, 33-21-205, 33-21-206
Credit union share insurance, approval, 32-3-611
Defined, 33-1-202, 33-2-1303, 33-31-102, 33-32-102
Departmental control and supervision by, 2-15-1902, 33-1-301

INSURANCE, COMMISSIONER OF (Continued)

Depositions, 33-11-121
Deputies, 33-1-303 — 33-1-305, 33-2-1311, 33-2-1333, 33-2-1345
Designation, 2-15-1903
Development corporations, reports from, 32-4-306
Disability insurance, duties, 33-2-514, 33-2-712, 33-2-713, 33-17-211; Title 33, chapters 22 and 32
Domestic stock and mutual insurers, duties, Title 33, chapter 3
Duties generally, 33-1-311, 33-2-1302
Employees, 33-1-303 — 33-1-306, 33-2-1333, 33-2-1345
Enforcement, 33-1-311, 33-1-315, 33-11-121, 33-15-338, 33-21-111
Examinations and investigations, 33-1-311, 33-1-408, 33-18-1002
  claims, insurer's failure to pay promptly, 33-18-232
  confidentiality, when, 33-1-409, 33-2-1116
  conflict of interest, 33-1-410
  continuing education for insurance producers and consultants, periodic reviews, 33-17-1204
  expenses, 33-1-413
  field investigators, appointment, 33-1-303
  hearings, 33-1-409
  hindrance, 33-1-411, 33-2-119
  managing general agents, 33-2-1604
  out-of-state, 33-1-315
  records, 33-1-312, 33-1-411, 33-2-119, 33-2-1216, 33-18-205
  refusal, effect, 33-2-119, 33-2-1331
  reinsurance
    accredited reinsurer, 33-2-1216
    intermediaries, 33-2-1708
  reports, 33-1-409, 33-2-115, 33-2-708, 33-2-1116
  unclaimed property, identification, 70-9-314
Examiners, 33-1-303 — 33-1-305, 33-1-315, 33-1-413, 33-31-401
Farm mutual insurers, duties, Title 33, chapter 4
Fees paid to, 33-2-708, See also **INSURERS ORGANIZATION AND REGULATION GENERALLY**
  certificate of authority applications, applicable fees, 33-2-115
  deposit, 17-2-121, 33-2-708, 33-4-505, 33-6-401, 33-7-217
  genetics program, 33-2-712, 33-2-713
  retaliatory, 33-2-709
  service of process, 33-1-603, 33-1-613
  state, preemption, 33-2-707
Filings generally
  fees, 33-2-708
  forms, 33-1-318, 33-1-501, 33-15-303
  rebates, for, 33-18-210
  records, 33-1-312
Fines
  deposit, 17-2-121, 33-2-708
  imposition, 33-1-104, 33-1-317, 33-1-318, 33-1-411, 33-2-305, 33-2-701, 33-2-705, 33-2-1120, 33-7-125, 33-10-109, 33-17-411, 33-17-1205, 33-18-233, 33-31-211, 33-31-311, See also **INSURERS ORGANIZATION AND REGULATION GENERALLY**
  retaliatory, 33-2-709
Foreign insurers, duties, 33-1-401, 33-2-126 — 33-2-128, 33-9-105
Forms
  approval or disapproval generally, 33-1-501, 33-1-502, 33-15-328
  fees, filing, 33-2-708

INSURANCE, COMMISSIONER OF (Continued)
Forms (Continued)

  policies, filing, 33-2-127, 33-15-303
Fraternal benefit societies, duties, Title 33, chapter 7
Genetics program fee, payment and disposition, 33-2-712, 33-2-713
Guaranteed arrest bond certificates, undertaking of surety — form prescribed by, 46-9-412
Guaranty association, casualty and property — duties, Title 33, chapter 10, part 1
Guaranty association, life and health — duties, Title 33, chapter 10, part 2
Health care authority
  nonvoting ex officio member, 50-4-201
  uniform claim forms, standards and procedures — adoption by rule, 50-4-501
Health care benefits, determination of jurisdiction of providers, Title 33, chapter 1, part 11
Health maintenance organizations, duties, Title 33, chapter 31
Health service corporations, duties, Title 33, chapter 30
Hearings, 33-1-701, 33-1-704
  appeals, 33-1-711
  cease and desist orders, 33-1-318
  certificate of authority, revocation or suspension, 33-1-411, 33-2-119
  claims, insurer's failure to pay promptly, 33-18-233
  continuing education for insurance producers and consultants, noncompliance, 33-17-1205
  controlling producer and controlled insurers, noncompliance, 33-2-1515
  delinquency, liquidation, or rehabilitation, See **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
  examination reports, 33-1-409
  managing general agent violations, 33-2-1605
  notices, 33-1-313, 33-1-703, 33-1-705
  order on, 33-1-409, 33-1-706, 33-1-711
  records, 33-1-704, 33-1-711
  refused when, 33-1-701, 33-1-711
  rehearings, 33-1-705, 33-1-706, 33-1-711
  reinsurance
    credit for — assuming insurer's accreditation, revocation, 33-2-1216
    intermediary violations, 33-2-1709
  rules, for, 33-1-313
  small employer health insurance
    carriers, 33-22-1811
    reinsurance program, plan of operation, 33-22-1819
  stay of action, 33-1-702
Holding company systems, duties, Title 33, chapter 2, part 11
Information and privacy protection enforcement, duties, 33-18-234; Title 33, chapter 19, part 4
Inheritance tax valuations by, 72-16-417
Injunctions, 33-1-318, 33-2-1118, 33-2-1119, 33-2-1321, 33-7-120, 33-7-122, 33-11-104, 33-25-402, 33-30-113, 33-31-405
Insurance producers, duties, Title 33, chapter 17
Insurers generally, duties, Title 33, chapter 2
Insurers supervision, rehabilitation, and liquidation — duties, Title 33, chapter 2, part 13
Investigations, See **Examinations and investigations**
Jurisdiction to determine jurisdiction of providers of health care benefits, Title 33, chapter 1, part 11
Life insurance, duties, Title 33, chapter 20
Long-term care insurance, duties, Title 33, chapter 22, part 11
Medicare supplement insurance policies, duties, Title 33, chapter 22, part 9
Motor club service companies, duties, Title 61, chapter 12, part 3
Motor vehicle liability insurance, duties, 61-6-301; Title 33, chapter 23, part 2

INSURANCE, COMMISSIONER OF (Continued)

Orders, 33-1-314, See also **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
  appeals from, See **Appeals**
  cease and desist, 33-1-318, 33-2-1120, 33-17-209, 33-18-1004, 33-18-1005, 33-30-112, 33-31-405
  certificate of authority, for refusal or period of suspension, 33-2-116, 33-2-121
  deposits
    release, 33-2-612
    retaliatory, for, 33-2-602, 33-2-610
  fines, for imposition, 33-1-317, 33-1-318
  forms generally, for disapproval or withdrawal of approval, 33-1-501
  hearings
    demand for, 33-1-701, 33-1-702
    on or pursuant to, 33-1-409, 33-1-701, 33-1-702, 33-1-705, 33-1-706, 33-1-711
  investments in real estate, property, or securities — disposal, 33-2-841, 33-2-843
  judicial review, 33-2-1605, 33-2-1709, 33-10-109, 33-10-228, 33-19-406, 33-21-112, 33-21-113, 33-21-205
  reinsurance intermediaries, 33-2-1701
  stay of order, request for, 33-1-711
  violation of, 33-1-318, 33-2-119, 33-2-1331, 33-17-1001, 33-21-113
Powers generally, 33-1-311, 33-2-1302
Premium finance companies, duties, 33-1-318; Title 33, chapter 14, part 2
Premium tax, See also **INSURERS ORGANIZATION AND REGULATION GENERALLY**
  comprehensive health association members, offset claimed by — reporting, 33-22-1513
  computation and collection, 33-2-705
  deposit, 17-2-121, 33-2-708
  fire insurance, 33-2-705
  independently procured coverages, 33-2-706
  risk retention groups, 33-11-104
  surplus lines insurance, 17-2-121, 33-2-311, 33-2-312, 33-2-706
Professional liability insurers, duties, 33-9-104, 33-9-105, 33-23-311
Quasi-judicial capacity when, 33-1-706
Rates and rating plans, duties, Title 33, chapter 16, parts 1 and 2
  domestic insurer, transfer of domicile — effect, 33-2-127
  filing, 33-5-201, 33-16-203, 33-16-222, 33-21-205, 33-21-206, 33-22-201, 33-22-812, 33-25-212
  preferred, approval, 33-18-207
  violations, 33-1-318, 33-16-211, 33-22-911
  workers' compensation, construction industry, 39-71-2211
Rating or advisory organizations, duties, 33-1-318, 39-71-2211; Title 33, chapter 16
Reciprocal insurers, duties, Title 33, chapter 5
Records, 33-1-312, 33-1-704
  administrators, access and confidentiality, 33-17-611
  delinquency proceedings, confidentiality when, 33-2-1323
  domestic stock and mutual insurers, availability or removal, 33-3-401
  farm mutual insurers, inspection, 33-4-316
  insurance producers, termination of appointment, 33-17-237
  insurers, deposits, 33-2-605
  liquidation, disposition, 33-2-1377
  liquidator, possession, 33-2-1381
  premium finance companies, 33-14-204
  rating or advisory organizations, availability, 33-16-105
  service of process, 33-1-613
Reports to
  development corporations, 32-4-306

INSURANCE, COMMISSIONER OF (Continued)
Reports to (Continued)

- fire departments, 19-18-511
- health service corporations, 33-30-202
- joint underwriting associations, 33-22-815
- noncompetitive or volatile lines, insurers transacting, 33-16-235
- professional liability insurers, 33-23-311

Retaliatory fees, taxes, and other obligations, 33-2-709
Risk retention groups and purchasing groups, duties, Title 33, chapter 11, part 1
Rules generally, 33-1-313

- claims, payment by insurers, 33-18-235
- continuing education for insurance producers and consultants, 33-2-708, 33-17-1204, 33-17-1206
- controlled insurers and controlling producers, 33-2-1517
- fees, charges, fines, or penalties, 17-2-121, 33-2-708
- financial institutions, financial condition and standing standards, 33-2-1501
- insurance guaranty association, life and health — notice to policyholders, disclaimer, 33-10-210
- money market funds, definition, 33-4-403
- moody's corporate bond yield average, similar average established, 33-20-134
- mortality tables, approval, 33-2-523, 33-2-524, 33-20-208
- securities held by insurers, method of valuation, 33-2-532, 33-2-533
- small employer health insurance, 33-22-1808, 33-22-1809, 33-22-1813, 33-22-1814, 33-22-1822
- violations, 33-1-318, 33-17-1001, 33-22-911
- workers' compensation classification and rating committee, 33-16-1012

Seal, 33-1-302
Service of process on

- alien insurers, 33-1-602
- attorney for, appointment as, 33-1-601, 33-1-612, 33-2-115
- combination policies, insurers issuing, 33-15-307
- copy, forwarding, 33-1-603
- domestic insurers, 33-1-602
- fee, 33-1-603, 33-1-613
- foreign insurers, 33-1-602
- fraternal benefit societies, 33-7-123, 33-7-531
- health maintenance organizations, 33-31-201
- holding company systems, 33-2-1106
- insurance-support organizations doing business outside state, 33-19-403
- justices' or city courts, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- nonresident insurance producers, 33-17-405
- purchasing groups, 33-11-108
- rating or advisory organizations, 33-16-307, 33-16-308, 33-16-401, 33-16-402
- reciprocal insurers, 33-1-602, 33-5-301
- reinsurance
  - ceding insurers, 33-2-1216
  - intermediaries, 33-2-1701
- risk retention groups, 33-11-104
- serving, 33-1-603
- surplus lines insurers or advisory organization, 33-2-315, 33-2-321
- unauthorized insurers, 33-1-612, 33-1-613, 33-2-104

Small business independent liability funds, duties, 33-27-104, 33-27-117
State buildings and contents, cooperation concerning plan for, 2-17-104
Subpoenas, 33-1-315, 33-1-408, 33-1-409, 33-1-704, 33-2-1345, 33-11-121, 33-17-1001
Surety bonds, form of undertaking prescribed by, 46-9-403
Surplus lines insurance, duties, 17-2-121; Title 33, chapter 2, part 3
Title insurance, duties, Title 33, chapter 25

INSURANCE, COMMISSIONER OF (Continued)

Unclaimed property, identification by, 70-9-314
Vending machine licenses, 33-17-221, 49-3-204
Witnesses, 33-1-315, 33-1-316, 33-1-408, 33-1-409, 33-1-704, 33-2-1345
Workers' compensation
  assigned risk plans, 33-2-119, 39-71-431
  classification and rating committee, 33-16-1011, 33-16-1012
  construction industry, rate filing, 39-71-2211
  employers' liability insurance, optional deductibles, 39-71-435
  filings, 33-16-1005, 39-71-2211

INSURANCE CONSULTANT LICENSURE ACT, Title 33, chapter 17, part 5
  See **INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS, AND ADMINISTRATORS, License, consultant**

INSURANCE, DEPARTMENT OF
Appropriations, 2-15-1902, 33-1-301, 33-1-303, 33-2-1333, 33-2-1345
Cease and desist orders, enforcement, 33-18-1005
Chief clerk, 33-1-303
Commissioner of, See **INSURANCE, COMMISSIONER OF**
Continuing education for insurance producers and consultants, advisory council, 33-17-1204
Criminal justice agency, as, 33-1-311
Defined, 33-1-202
Examination reports filed with, 33-1-409
Jurisdiction of providers of health care benefits, determination, 33-1-1102
Location, 2-15-1902
NAIC information, confidentiality, 33-2-1504
Product liability insurers, reports, 33-2-721, 33-2-722
Retail installment sales, rates filed with, 31-1-233
Service of process, See **INSURANCE, COMMISSIONER OF; INSURERS ORGANIZATION AND REGULATION GENERALLY**
Supervision, 2-15-1902, 33-1-301, 33-1-303

INSURANCE, DISABILITY
  See also **INSURANCE; INSURANCE, CASUALTY; INSURANCE, LIFE**
Actions
  joint underwriting associations, by, 33-22-804
  policies, to recover on, 33-22-214, 33-22-602
  small employer health reinsurance program, 33-22-1819
  third-party actions, notice and costs, 33-22-1602
Age of insured
  handicapped dependents, continuation of coverage, 33-22-304, 33-22-506
  limits, effect on coverage, 33-22-302
  mammography examinations, coverage, 33-22-132
  misstatements, effect, 33-22-205, 33-22-223, 33-22-302
Applications for, See also **INSURANCE, Applications**
  alterations, 33-15-402
  developmental disability, discrimination prohibited, 33-18-206
  evidence, as — when, 33-15-402
  health history, 33-22-110
  material misrepresentations, 33-22-121
  not required when, 33-22-603
  required, 33-15-401
Autopsy required when, 33-22-213, 33-22-602
Bankruptcy, proceeds exempt from, 31-2-106
Beneficiaries, 33-22-212, 33-22-215, 33-22-604

INSURANCE, DISABILITY (Continued)

Benevolent associations, nonapplicability of provisions, 33-6-102
Blanket disability insurance, 33-2-713, 33-17-103, 33-22-601, See also **Policies, blanket disability**
Cancellation of policy, notice requirements, 33-22-121, 33-22-122
Child support, inclusion of health insurance coverage, 33-22-1202, 40-4-204, 40-5-208, 40-5-272, 40-5-273, 40-5-226, 40-5-415, 40-5-440 — 40-5-443, 40-5-601, 40-6-116
Claims, See also **INSURANCE, Claims and benefits**
  denial, 33-22-205, 33-22-904
  forms, 33-22-209, 33-22-602
  nonrenewal of policy, effect, 33-22-924
  notice of, 33-22-208, 33-22-602
  payment, 33-22-211, 33-22-212, 33-22-602, 33-22-604
  proofs of loss, 33-22-209 — 33-22-211, 33-22-214, 33-22-602
  reduction, 33-22-205
  unpaid premiums, deduction, 33-22-228
Comprehensive health association
  accounting procedures, 33-22-1503, 33-22-1514
  administrative procedures, 33-22-1503, 33-22-1513, 33-22-1514
  articles, 33-22-1503
  assessment of members, 33-22-1513
  audits, 33-22-1502
  benefits, minimum, 33-22-1511, 33-22-1521
  bid procedures for selection of lead carrier, 33-22-1514
  bylaws, 33-22-1503
  cessation of disability insurance business by member, 33-22-1513
  claims, 33-22-1513, 33-22-1514
  contracts, 33-22-1503, 33-22-1514
  creation, 33-22-1502, 33-22-1503
  definitions, 33-22-1501, 33-22-1513
  directors, board of, 33-22-1504, 33-22-1514
  eligible persons, 33-22-1501, 33-22-1513 — 33-22-1516
  expenses, 33-22-1513
  informational projects, 33-22-1502, 33-22-1515
  lead carrier, 33-22-1501, 33-22-1502, 33-22-1513 — 33-22-1516
  liability, 33-22-1505, 33-22-1513, 33-22-1514
  losses due to claims expenses, 33-22-1513
  mandatory membership, 33-22-1503
  meetings, 33-22-1504
  participating membership, 33-22-1503, 33-22-1513
  plan, association, 33-22-1513, 33-22-1514, 33-22-1521
  policies, 33-22-1514, 33-22-1516
  powers generally, 33-22-1503
  preexisting condition, 33-22-1501, 33-22-1516
  premiums, 33-22-1501, 33-22-1512 — 33-22-1515
  premium tax payable by members, offset of assessments, 33-22-1513
  public awareness programs, 33-22-1502, 33-22-1515
  referral fees, 33-22-1515
  reinsurance of risks, 33-22-1503, 33-22-1513
  reports by lead carrier, 33-22-1514
  rules, 33-22-1502, 33-22-1503
  sue or be sued, power to, 33-22-1503
  taxation, exemption, 33-22-1503
  termination, 33-22-1513, 33-22-1514
Contract of, 33-15-401
  agreements, inclusion, 33-18-208

INSURANCE, DISABILITY (Continued)
Contract of (Continued)

- insured, terms favorable to benefit of, 33-22-511
- policy to be, 33-22-204, 33-22-602, 33-22-1111, 33-22-1112

Coverages

- adopted children, 33-22-130
- age limits, effect on, 33-22-302
- alcoholism and drug addiction, 33-22-231, 33-22-701 — 33-22-705, 33-22-1203, 33-31-301
- child support, inclusion of health insurance coverage, 33-22-1202, 40-4-204, 40-5-208, 40-5-272, 40-5-273, 40-5-226, 40-5-415, 40-5-440 — 40-5-443, 40-6-116
- denturist services, 37-29-104
- extended health insurance, Title 33, chapter 22, part 8
- family members, continuity of coverage, 33-22-305 — 33-22-311
- group, continuing — after reduction of work schedule, 33-22-507
- handicapped dependents, 33-22-304, 33-22-506
- home health care, 33-22-1001 — 33-22-1003
- limited benefit disability insurance, 33-22-1203
- long-term care policies, 33-22-1107, 33-22-1108, 33-22-1111, 33-22-1112, 33-22-1114
- mammography examinations, 33-22-132
- medicare supplement policies, 33-22-907
- mental illness, 33-22-231, 33-22-701 — 33-22-705, 33-22-1203, 33-31-301
- newborn infants, 33-22-301, 33-22-504, 33-22-1203
- "other valid coverage" provisions, 33-22-225, 33-22-226
- phenylketonuria (PKU), 33-22-131
- physician assistants-certified, services, 33-22-114
- preexisting conditions, exclusion when, 33-22-110
- pregnancy, 33-22-509
- public medical assistance, persons eligible for, 33-22-113
- skilled nursing care, 33-22-1114
- state institutions, services of, 33-22-112, 53-1-401, 53-1-405
- statements concerning, 33-22-502
- well-child care, 33-22-303, 33-22-512

Credit Life Insurance and Credit Disability Insurance, The Model Act for the Regulation of, Title 33, chapter 21
Damages, payments as collateral source reduction, 27-1-307, 27-1-308
Definitions, 33-1-207, 33-22-122, 33-22-401
Dentists

- denturist services performed by, coverage, 37-29-104
- freedom of choice in selection, 33-22-111, 33-22-1706

Developmental disability, discrimination prohibited, 33-18-206
Disability, continuance — notice regarding, 33-22-208, 33-22-602
Discrimination prohibited, 33-1-502, 33-18-206, 33-18-209, 33-22-904, 33-22-1704, 49-2-309, See also **DISCRIMINATION, Insurance**; **Insurers**
Do not resuscitate identification, possession — effect, 50-10-104
Earnings of insured, relation to, 33-22-227
English language, policy requirements, 33-15-321 — 33-15-329
Exceptions to provisions, 33-22-101
Execution, proceeds exempt from, 33-15-513
Extended health insurance for older persons

- deceptive practices prohibited, 33-22-814
- definitions, 33-22-802
- federal benefits, adjustments for, 33-22-816
- insurance producers, 33-22-813
- joint underwriting associations, 33-22-802 — 33-22-806, 33-22-814, 33-22-815
- policies, 33-22-811, 33-22-812
- purpose of provisions, 33-22-801
- rates, 33-22-812

INSURANCE, DISABILITY (Continued)
Extended health insurance for older persons (Continued)

sale area, 33-22-813
Forfeited policies, actions to recover under, 33-22-122
Franchise disability insurance, 33-22-401
Fraternal benefit societies, applicability of laws, 33-7-117
Genetics program fee, 33-2-712, 33-2-713
Grace period, 33-22-121, 33-22-206, 33-22-924
Group disability insurance, 33-17-103, 33-22-501, 33-22-502, 33-22-803, See also **Extended health insurance for older persons; Policies, group**
Health service corporations, applicability, 33-30-102
Home health care, 33-22-1001, See also **HOME HEALTH CARE**
- applicability of provisions, 33-22-1003
- comprehensive health association, covered expenses, 33-22-1521
- coverage, availability, 33-22-1002
- information and privacy protection, Title 33, chapter 19
- long-term care insurance benefits, 33-22-1115

Incontestability, 33-22-205
Individual family members continuity of coverage, 33-22-308
- citation of individual family disability insurance continuity of coverage act, 33-22-305
- converted policies, 33-22-307, 33-22-308, 33-22-310, 33-22-311
- form of coverage, 33-22-308
- insurability, evidence of, 33-22-308
- notice to carrier, 33-22-309
- overinsurance, 33-22-311
- preexisting conditions, 33-22-308
- premiums, payment, 33-22-309
- purpose of provisions, 33-22-306
- rights to continuation or conversion, 33-22-307

Individual policies, See **Policies, individual**
Information and Privacy Protection Act, Title 33, chapter 19
Institutions, state, 53-1-501, 53-1-502
Insureds, 33-22-102
- age, See **Age of insured**
- autopsy when, 33-22-213, 33-22-602
- beneficiaries, 33-22-212, 33-22-215, 33-22-604
- benefits, subrogation right, 33-22-1601, 33-22-1602
- claims, See **Claims**
- conversion entitlement of family members, 33-22-510
- crimes, commission, 33-22-230
- death benefits to dependents, continuation, 33-22-503, See also See **Individual family members continuity of coverage**
- earnings, relation to insurance, 33-22-227
- handicapped dependents, continuation of coverage, 33-22-304, 33-22-506
- hospitals or professionals, claims paid directly to — when, 33-22-212, 33-22-505, 33-22-604
- insurability, evidence of, 33-22-308
- intoxicants, use of — insurer's liability, 33-22-231
- lapse of policy, 33-22-232
- mentally handicapped as, payment of claims, 33-22-604
- minors as, payment of claims, 33-22-604
- narcotics, use of — insurer's liability, 33-22-231
- occupation, 33-22-205, 33-22-222, 33-22-230
- physical examination, when, 33-22-213, 33-22-602
- practitioners, freedom of choice in selection, 33-22-111
- public medical assistance, persons eligible for, 33-22-113
- reinstatement of policy, 33-22-207, 33-22-232
- third-party actions — subrogation, notice, and costs, 33-22-1601, 33-22-1602

INSURANCE, DISABILITY (Continued)

Insurers, 33-22-802, 33-22-1201, See also **INSURERS ORGANIZATION AND REGULATION GENERALLY**
  affidavits, 33-22-122
  bulk reinsurance, 33-22-922
  cancellation or refusal to renew, notice requirements, 33-22-121, 33-22-122
  comprehensive health association, See **Comprehensive health association**
  discrimination, See **DISCRIMINATION, Insurance; Insurers**
  extended health insurance, See **Extended health insurance for older persons**
  franchise disability insurance, 33-22-401
  genetics program fee, 33-2-712, 33-2-713
  health maintenance organizations, applicability of provisions, 33-31-216
  life, transaction of disability insurance, 33-2-108
  long-term care insurance, 33-22-1107, 33-22-1111
  medicare supplement insurance, 33-22-921 — 33-22-924
  preferred providers, See **Preferred provider agreements**
  state institutions, services of — policies excluding coverage unlawful, 33-22-112
  subrogation right, 33-22-1601, 33-22-1602
  third-party actions, notice and costs, 33-22-1602
  utilization reviews, applicability, 33-22-125, 33-32-105
Lapse, 33-22-122, 33-22-232
Legislators, employer contribution for coverage when and limitation, 5-2-303
Liens, exempt from, 71-3-1118
Life insurer, transaction by, 33-2-108
Limited benefit disability insurance
  certification of policies, 33-22-1204
  definitions, 33-22-1201
  minimum requirements, 33-22-1202 — 33-22-1204
  premium tax, nonapplicability, 33-22-1205
  policies, 33-22-1201, 33-22-1202, 33-22-1204
  tax credits for providing, 15-30-129, 15-31-132
Long-term care insurance, See also **Policies, long-term care**
  advertising, 33-22-1103, 33-22-1107, 33-22-1115
  citation of long-term care insurance act, 33-22-1101
  compliance with provisions required, 33-22-1103
  definitions, 33-22-1107
  disclosure standards, 33-22-1113
  life insurance, inclusion, 33-1-208, 33-20-127, 33-20-128, 33-22-1107
  purpose of provisions, 33-22-1102
  rules, 33-22-1121
  standards, 33-22-1102, 33-22-1113
Loss-of-time provisions, 33-22-208, 33-22-227, 33-22-602
Medicare supplement insurance, See also **Policies, medicare supplement**
  administrative procedures, 33-22-909
  advertising, 33-22-903, 33-22-906, 33-22-910
  citation of medicare supplement insurance minimum standards act, 33-22-901
  definitions, 33-22-903
  long-term care insurance, applicability of provisions, 33-22-1107
  penalties for violations, 33-22-911
  purpose of provisions, 33-22-902
  rates and rating organizations, applicability, 33-16-103, 33-22-906, 33-22-911
Mental illness, alcoholism, and drug addiction — coverage for, 33-22-701 — 33-22-705
  health maintenance organizations, applicability of provisions, 33-31-301
  limited benefit disability insurance, coverage, 33-22-1203
  narcotics or intoxicants, use by insured — insurer's liability, 33-22-231

INSURANCE, DISABILITY (Continued)

Minors
  beneficiaries, as, 33-22-212
  contract, power to, 33-15-103, 33-15-401, 33-15-502
  handicapped, 33-22-304, 33-22-506
  insured, as, 33-22-604, 41-1-404
  newborn infants, 33-22-301, 33-22-504
Other insurance
  in same insurer, 33-22-224
  misstatements, effect, 33-22-205
Payments
  acquittance, 33-15-501, 33-15-502
  claims, See **Claims**
  hospital and medical services, direct payment, 33-22-212, 33-22-505, 33-22-604
  insurer, discharge and notice to contrary, 33-15-501
  mammography examinations, minimum, 33-22-132
  mental illness, alcoholism, and drug addiction services — for, 33-22-702 — 33-22-705
  preferred providers, See **Preferred provider agreements**
  state institutions, services of, 33-22-112
Pharmacies, out-of-state mail service — consumer protection, Title 37, chapter 7, part 7
Physical examination required when, 33-22-213, 33-22-602
Policies
  cancellation or refusal to renew, 33-22-121, 33-22-122
  health care insurers, preferred provider agreements, 33-22-1704, 33-22-1705
  language simplification, 33-15-321 — 33-15-329
  subrogation right provisions, 33-22-1601, 33-22-1602
Policies, blanket disability, 33-1-502, 33-22-602 — 33-22-604, 49-2-309, See also **DISCRIMINATION, Insurance; Insurers**
Policies, group, 33-22-502
  adopted children, coverage, 33-22-130
  alcoholism, coverage for, 33-22-701, 33-22-703
  benefits to dependents, continuation, 33-22-503
  conversion on termination of eligibility, 2-18-704, 33-22-508 — 33-22-511, 33-22-513
  death of insured, 33-22-503
  discrimination prohibited, 33-1-502, 49-2-309, See **DISCRIMINATION, Insurance; Insurers**
  drug addiction, coverage for, 33-22-701, 33-22-703
  handicapped dependents, continuation of coverage, 33-22-506
  home health care, 33-22-1002
  hospital and medical services, direct payment, 33-22-505
  long-term care, See **Policies, long-term care**
  mammography examinations, coverage for, 33-22-132
  medicare supplement, See **Policies, medicare supplement**
  mental illness, coverage for, 33-22-701, 33-22-703
  newborn infant coverage, 33-22-504
  phenylketonuria (PKU), coverage for, 33-22-131
  pregnancy, coverage, 33-22-509
  premium increase restriction and exception, 33-22-107
  reduction of work schedule, continuing coverage after, 33-22-507
  state statutes, conformity with, 33-22-502
  well-child care, coverage for, 33-22-512
Policies, individual, 33-22-202
  actions pertaining to, 33-22-214
  adopted children, coverage, 33-22-130
  age of insured, See **Age of insured**
  alcoholism, coverage for, 33-22-703

INSURANCE, DISABILITY (Continued)
Policies, individual (Continued)

- assignment, 33-15-414, 33-22-215
- autopsy required when, 33-22-213
- beneficiaries, 33-22-212, 33-22-215, 33-22-604
- claims, See **Claims**
- content, 33-22-201
- contract, entire — changes, 33-22-204
- discrimination prohibited, 33-1-502, 49-2-309, See **DISCRIMINATION**, **Insurance**; **Insurers**
- domestic insurers, requirements for policies issued out-of-state, 33-22-203
- drug addiction, coverage for, 33-22-703
- earnings, relation to insurance, 33-22-227
- extended health insurance, effect of policies providing additional coverage, 33-22-811
- family members, continuity of coverage, See **Individual family members continuity of coverage**
- foreign or alien insurers, requirements, 33-22-203
- format, 33-22-201
- grace period, 33-22-206
- incontestability, 33-22-205
- intoxicants, insured's use of — insurer's liability, 33-22-231
- lapse, 33-22-232
- long-term care, See **Policies, long-term care**
- loss-of-time provisions, 33-22-208, 33-22-227
- mammography examinations, coverage for, 33-22-132
- medicare supplement, See **Policies, medicare supplement**
- mental illness, coverage for, 33-22-703
- misstatements, 33-22-205, 33-22-223
- narcotics, insured's use of — insurer's liability, 33-22-231
- occupation of insured, 33-22-205, 33-22-222, 33-22-230
- omission of provisions, 33-22-202
- optional provisions, 33-22-221
- other insurance in same insurer, 33-22-224
- other insurers, insurance with, 33-22-225, 33-22-226
- "other valid coverage" provisions, 33-22-225, 33-22-226
- phenylketonuria (PKU), coverage for, 33-22-131
- physical examination required when, 33-22-213
- preexisting conditions, exclusion when, 33-22-110
- premiums, See **Premiums**
- proofs of loss, 33-22-210
- reinstatement, 33-15-402, 33-22-207, 33-22-232
- renewal, 33-15-402, 33-22-206, 33-22-232
- return of, 33-22-201
- state statutes, conformity with, 33-22-229
- substitute provisions, 33-22-202, 33-22-221
- termination, 33-22-232
- time limit on certain defenses, 33-22-205
- unpaid premiums, 33-22-228
- violation, issued in — validity, 33-22-203
- well-child care, coverage for, 33-22-303

Policies, limited benefit, 33-22-1201, 33-22-1202
Policies, long-term care

- applications, 33-22-1108
- benefits, 33-22-1107, 33-22-1108, 33-22-1111, 33-22-1112, 33-22-1114, 33-22-1115
- cancellation, 33-22-1114
- certificate, content, 33-22-1112
- compliance with provisions required, 33-22-1103

INSURANCE, DISABILITY (Continued)
Policies, long-term care (Continued)

- content standards, 33-22-1113
- continuation, 33-22-1111, 33-22-1113
- conversion, 33-22-1111, 33-22-1113
- definitions, 33-22-1107
- disclosure standards, 33-22-1113
- eligibility, 33-22-1113, 33-22-1115
- exclusions, 33-22-1108, 33-22-1111 — 33-22-1113
- extraterritorial jurisdiction, 33-22-1120
- free look at policy, 33-22-1119
- health history of applicant, 33-22-1108
- home health care benefits, 33-22-1115
- hospitalization, condition for eligibility, 33-22-1115
- income tax, credit or deduction for premiums, 15-30-128
- institutionalization, condition for eligibility, 33-22-1115
- jurisdiction, 33-22-1120
- limitations, 33-22-1108, 33-22-1111 — 33-22-1113, 33-22-1115
- loss or confinement coverage, 33-22-1108
- loss ratio standards, 33-22-1121
- outline of coverage, 33-22-1111
- out-of-state policies, 33-22-1120
- preexisting condition, 33-22-1107, 33-22-1108, 33-22-1113
- premiums, 15-30-128, 33-22-1111, 33-22-1119
- prohibited practices, 33-22-1114
- purpose of provisions, 33-22-1102
- reductions, 33-22-1108, 33-22-1111 — 33-22-1113
- refund of premiums, 33-22-1111, 33-22-1119
- renewal, 33-22-1113, 33-22-1114
- replacement, 33-22-1113, 33-22-1114
- return of policy, 33-22-1111, 33-22-1119
- riders, 33-22-1108
- rules, 33-22-1121
- skilled nursing care coverage, 33-22-1114
- standards, 33-22-1113
- termination, 33-22-1113, 33-22-1114
- term of coverage, 33-22-1107
- waiting period, 33-22-1108, 33-22-1114
- waivers, 33-22-1108

Policies, medicare supplement
- administrative procedures, 33-22-909
- alternate policies or certificates, 33-22-921, 33-22-922
- benefits, 33-22-904, 33-22-905, 33-22-921, 33-22-923, 33-22-1107
- changes, notification requirements, 33-22-907
- claims for losses, 33-22-904, 33-22-905, 33-22-924
- coverage, outline of, 33-22-907
- defined, 33-22-903
- disclosure standards, 33-22-907
- discontinuance or nonrenewal, 33-22-921, 33-22-922
- discrimination, rules prohibiting, 33-22-904
- examination, notice of free, 33-22-908
- filing requirements, 33-22-906
- grace period, 33-22-924
- informational brochure, 33-22-907
- loss ratio standards, 33-22-904, 33-22-906
- preexisting conditions, 33-22-904, 33-22-921, 33-22-923
- premiums, 33-22-906, 33-22-907, 33-22-921 — 33-22-923, 33-22-1107

INSURANCE, DISABILITY (Continued)
Policies, medicare supplement (Continued)

- rates and rating schedules, 33-16-103, 33-22-906, 33-22-911
- renewal, 33-22-907, 33-22-924
- replacement, 33-22-904, 33-22-921 — 33-22-924
- return, right to, 33-22-908
- rules, 33-22-904 — 33-22-907, 33-22-909, 33-22-911
- standards, 33-22-904, 33-22-905

Practitioners, freedom of choice in selection, 33-22-111, 33-22-1706
Preferred provider agreements
- authorization, 33-22-1704
- citation of preferred provider agreements act, 33-22-1701
- definitions, 33-22-1703
- discrimination prohibited, 33-22-1704
- emergency services, 33-22-1703, 33-22-1705
- incentive in policies and health benefit plans, 33-22-1704 — 33-22-1706
- mandatory provisions, 33-22-1706
- nonpreferred providers, payment difference, 33-22-1705, 33-22-1706
- permissible provisions, 33-22-1706
- purpose, 33-22-1702
- rules, 33-22-1707
- small employer health insurance, restricted network provision, 33-22-1803
- utilization review of provider, 33-32-105

Premiums
- abatement, 33-18-209
- age, misstatement — effect, 33-22-223
- bonuses, 33-18-209
- continuation or conversion of policies, 33-22-309, 33-22-507, 33-22-508, 33-22-513
- discrimination prohibited, 33-1-502, 33-18-206, 33-18-209, 49-2-309
- extended health insurance for older persons, 33-22-812
- federal benefits, adjustment for, 33-22-816
- increase restriction and exception, 33-22-107
- long-term care insurance, 33-22-1111, 33-22-1119
- medicare supplement insurance, 33-22-907, 33-22-921 — 33-22-924
- nonpayment, 33-22-121, 33-22-122, 33-22-207, 33-22-232, 33-22-813
- occupation of insured, effect of change, 33-22-222
- readjustment, 33-18-209
- reduction, 33-18-209
- refunds, 33-22-201, 33-22-302, 33-22-908
- unpaid, 33-22-228

Proofs of loss, 33-22-209 — 33-22-211, 33-22-214, 33-22-602
Rates and rating organizations, nonapplicability of provisions, 33-16-103
Rebates prohibited, 33-18-208, 33-18-209
Reinstatement, 33-22-207, 33-22-232
Renewal, 33-22-121, 33-22-206, 33-22-232, 33-22-907, 33-22-924, 33-22-1113, 33-22-1114
Risk pooling, See **Comprehensive health association**
Small businesses, limited benefit disability insurance, 33-22-1201 — 33-22-1205
- tax credits for providing, 15-30-129, 15-31-132

Small employer health insurance
- administration of provisions, 33-22-1822
- applicability of provisions, 33-22-1804
- availability of coverage, 33-22-1811
- citation of small employer health insurance availability act, 33-22-1801
- classes of business, 33-22-1803, 33-22-1808, 33-22-1809
- definitions, 33-22-1803
- health benefit plan committee, 33-22-1812
- implementation of provisions, 33-22-1822

INSURANCE, DISABILITY (Continued)
Small employer health insurance (Continued)

- market evaluation report, 33-22-1820
- plans required, 33-22-1803, 33-22-1811, 33-22-1812, 33-22-1814, 33-22-1819, 33-22-1821
  - marketing standards, 33-22-1813, 33-22-1820
- preexisting conditions, 33-22-1802, 33-22-1811
- premium rates, 33-22-1803, 33-22-1809, 33-22-1819
- prohibited activities of carriers, 33-22-1813
- purpose of provisions, 33-22-1802
- rating practices, 33-22-1802, 33-22-1809, 33-22-1819
- reinsurance program, 33-22-1802, 33-22-1803, 33-22-1811, 33-22-1818, 33-22-1819
  - plan of operation, 33-22-1803, 33-22-1819
- renewability of coverage, 33-22-1810, 33-22-1814
- rules, 33-22-1802, 33-22-1808 — 33-22-1810, 33-22-1813, 33-22-1814, 33-22-1822
- scope of provisions, 33-22-1804
- terminated coverage, restoration, 33-22-1814
- violations, 33-22-1809, 33-22-1813
- waiver of certain laws, 33-22-1821

State statutes, conformity with, 33-22-229, 33-22-502
Subrogation rights, 33-22-1601, 33-22-1602
Termination, 33-22-232
Third-party

- actions, notice and costs, 33-22-1602
- ownership, 33-22-102

Uninsurability, See **Comprehensive health association**
Utilization reviews

- adverse decisions, 33-22-125, 33-32-103, 33-32-201, 33-32-203
- appeal or reconsideration, 33-22-125, 33-32-103, 33-32-201, 33-32-203
- applicability of provisions, 33-32-105
- chiropractors, specific provisions, 33-22-125
- conduct, 33-22-125, 33-32-103, 33-32-201
- confidentiality of medical records, 33-32-103, 33-32-201, 33-32-204
- criteria, 33-32-103, 33-32-204
- definitions, 33-22-125, 33-32-102
- exemptions, 33-32-105
- federal law, preemption, 33-32-104
- plan, 33-32-103, 33-32-202, 33-32-204
- procedures, 33-32-103, 33-32-204
- purpose of provisions, 33-32-101
- rules, 33-32-204
- standards, 33-32-103, 33-32-204

Violations, 33-22-103

- medicare supplement insurance policies, 33-22-911
- state institutions, services of — exclusion from coverage, 33-22-112

INSURANCE GUARANTY ASSOCIATION ACT, Title 33, chapter 10, part 1
See **INSURANCE GUARANTY ASSOCIATION, CASUALTY AND PROPERTY**

INSURANCE GUARANTY ASSOCIATION, CASUALTY AND PROPERTY
Actions

- immunity from liability, 33-10-110
- insured, against — when, 33-10-114
- judicial review, subject to, 33-10-109
- stay of proceedings when, 33-10-111
- sue and be sued, power to, 33-10-105

Appeals by member insurers, 33-10-106
Assessments, 33-10-109, 33-10-116, 33-10-117
Assets, 33-10-106

INSURANCE GUARANTY ASSOCIATION, CASUALTY AND... (Continued)

Borrowing, 33-10-105
Citation of Montana Insurance Guaranty Association Act, 33-10-101
Claims
    covered claims, 33-10-102, 33-10-105, 33-10-106, 33-10-111, 33-10-114, 33-10-116
    filing, procedures, 33-10-106
    insured, effect as to, 33-10-114
    notice, 33-10-113
    receiver, effect as to, 33-10-114
    recovery, sequence and nonduplication, 33-10-115
    workers' compensation, 33-10-105, 33-10-115
Construction of provisions, 33-10-101
Contracts, party to, 33-10-105
Creation, 33-10-103
Default judgments, reopening, 33-10-111
Definitions, 33-2-1303, 33-10-102
Delegation of power, 33-10-106
Directors, board of, 33-10-103 — 33-10-106, 33-10-108, 33-10-109, 33-10-112
Employees, 33-10-105
Examinations, 33-10-108, 33-10-112, 33-10-116
Exceptions to provisions, 33-10-101
Financial reports, 33-10-112
Fines, 33-10-109
Hearings, 33-10-106, 33-10-109
Immunity from liability, 33-10-110
Insolvent insurers, 33-10-102, 33-10-105, 33-10-108, 33-10-109, 33-10-111, See also **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
Insurers Supervision, Rehabilitation, and Liquidation Act, Title 33, chapter 2, part 13
Liability, 33-10-110, 33-11-104, 33-11-105
Liquidators, 33-10-113, 33-10-114
Member insurers, 33-10-102, 33-10-105, 33-10-106, 33-10-108, 33-10-109, 33-10-111, 33-10-116, 33-10-117
Notices
    certificate of authority, revocation or suspension, 33-10-109
    claims, 33-10-113
    insolvencies, 33-10-109
    rules, adoption and promulgation, 33-10-106
Plan of operation, 33-10-103, 33-10-104, 33-10-106, 33-10-109
Powers and duties, 33-10-103, 33-10-105, 33-10-106
Premiums, net direct written, 33-10-102, 33-10-109, 33-10-116
Purpose of provisions, 33-10-101
Receivers, 33-10-113, 33-10-114
Records, procedures for, 33-10-106
Reports, 33-10-108, 33-10-112
Rules, 33-10-106
Scope of provisions, 33-10-101
Servicing facilities, 33-10-105, 33-10-106, 33-10-109
Short title, 33-10-101
Sue or be sued, power to, 33-10-105
Surplus lines insurance contracts not covered by, 33-2-303, 33-2-310
Tax exemption, 33-10-107
Workers' compensation claims, 33-10-105, 33-10-115, See also **Claims**

INSURANCE GUARANTY ASSOCIATION, LIFE AND HEALTH
Accounts, 33-10-202, 33-10-203, 33-10-207

INSURANCE GUARANTY ASSOCIATION, LIFE AND HEALTH (Continued)

Actions
  appeals by member insurers, 33-10-228
  assessments, unpaid — recovery, 33-10-205
  immunity from liability, 33-10-207
  stay of proceedings, 33-10-222
  sue and be sued, power to, 33-10-205
Ancillary receiver, contracts with, 33-10-205
Appeals by member insurers, 33-10-228
Assessments
  abatement or deferment when, 33-10-227
  certificate of contribution, 33-10-227, 33-10-230
  classification and computation, 33-10-227
  collection, 33-10-216, 33-10-227
  distribution to stockholders, recovery prior to, 33-10-226
  failure to pay, 33-10-228
  insufficiency, 33-10-220
  member insurers subject to, 33-10-201
  university system optional retirement program contracts, benefits, and contributions not assessable, 19-21-212
  unpaid, recovery, 33-10-205
Assets
  certificate of contribution as, 33-10-227, 33-10-230
  directors, board of — reimbursement of expenses from, 33-10-204
  handling procedures, 33-10-216
  subrogation rights, 33-10-223, 33-10-225
  use, 33-10-225
Beneficiaries, assignment by, 33-10-223
Borrowing, power of, 33-10-205
Citation of Montana Life and Health Insurance Guaranty Association Act, 33-10-201
Claims, improper — payment avoided, 33-10-205
Conservator, 33-10-205, 33-10-215, 33-10-221
Construction of provisions, 33-10-201
Contract liens, 33-10-220
Contracts, party to, 33-10-205
Contractual obligations, 33-10-202
  assets, use, 33-10-225
  liability, extent, 33-10-224
  payment, 33-10-219, 33-10-220, 33-10-225
  unfulfillment, 33-10-201, 33-10-217, 33-10-218
Creation, 33-10-201, 33-10-203
Creditor, as, 33-10-225
Default judgments, reopening, 33-10-222
Definitions, 33-2-1303, 33-10-202
Delegation of power, 33-10-216
Directors, board of, 33-10-203, 33-10-204, 33-10-209, 33-10-215 — 33-10-218, 33-10-227, 33-10-228
Employees, 33-10-205
Examinations, 33-10-209, 33-10-217, 33-10-218
Exceptions to provisions, 33-10-201
Hearings, 33-10-216, 33-10-228
Immunity from liability, 33-10-207
Impaired insurers, 33-10-202, See also **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
  assets, subrogation rights — priority, 33-10-223, 33-10-225

INSURANCE GUARANTY ASSOCIATION, LIFE AND HEALTH (Continued)
Impaired insurers (Continued)

- contractual obligations, See **Contractual obligations**
- creditor of, association as, 33-10-225
- foreign or alien insurers, 33-10-215, 33-10-220
- liquidation, association's powers, 33-10-219, 33-10-220
- notices to, 33-10-215
- ownership rights, distribution, 33-10-226
- shareholders, distribution to, 33-10-226
- stay of proceedings, 33-10-222

Impairments or insolvencies, 33-10-201, 33-10-217
Insurers Supervision, Rehabilitation, and Liquidation Act, Title 33, chapter 2, part 13
Jurisdiction, 33-10-205
Liability, 33-10-220, 33-10-224
Liens on policies or contracts, 33-10-220
Liquidation of insurers, 33-10-219, 33-10-220, See also **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
Liquidator, 33-10-205, 33-10-215, 33-10-221
Meetings, 33-10-203, 33-10-206
Member insurers, 33-10-202

- appeals, 33-10-228
- assessments, See **Assessments**
- certificate of authority, suspension or revocation when, 33-10-228
- directors, board of — selection, 33-10-204
- examinations, 33-10-218
- forfeitures when, 33-10-218
- impairments or insolvencies, See **Impaired insurers**; **Impairments or insolvencies**
- plan of operation, compliance, 33-10-216
- premiums, 33-10-202, 33-10-215
- refunds, 33-10-227, 33-10-230
- tax writeoffs, 33-10-230

Moratoriums on payments, 33-10-220
Negotiations, 33-10-206
Notices

- certificate of authority, suspension or revocation, 33-10-228
- impaired insurers, to, 33-10-215
- policies, termination of benefits, 33-10-220
- policyholders, to, 33-10-210
- rules, adoption and promulgation, 33-10-216

Plan of operation, 33-10-203, 33-10-204, 33-10-216, 33-10-228
Policies

- alternative policies, 33-10-220
- benefits, notice of termination, 33-10-220
- covered policies, 33-10-202, 33-10-219, 33-10-220, 33-10-224, 33-10-225
- issuance, 33-10-205
- liens, 33-10-220
- policyholders, notice to, 33-10-210
- substitute coverage, 33-10-220

Powers, 33-10-205, 33-10-216
Premiums, 33-10-202, 33-10-215, 33-10-220
Prohibited practices, 33-10-210
Purpose of provisions, 33-10-201, 33-10-210
Records, 33-10-203, 33-10-206, 33-10-216
Regulation, 33-10-209
Rehabilitation of insurers, 33-10-219, 33-10-220, See also **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
Rehabilitator, 33-10-205, 33-10-215, 33-10-221

INSURANCE GUARANTY ASSOCIATION, LIFE AND HEALTH (Continued)

Reinsurance, 33-10-219, 33-10-220
Reports, 33-10-206, 33-10-209, 33-10-217, 33-10-218
Rules, 33-10-216
Scope of provisions, 33-10-201
Short title, 33-10-201
Standing, 33-10-205
Subrogation rights, 33-10-223, 33-10-225
Sue and be sued, right to, 33-10-205
Supervision of association, 33-10-203, See also **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
Tax exemptions or writeoffs, 33-10-208, 33-10-230
Unfair trade practices, 33-10-210
University System Optional Retirement Program contracts, benefits, and contributions not covered or assessable by, 19-21-212

INSURANCE INFORMATION AND PRIVACY PROTECTION ACT, Title 33, chapter 19
  See **INSURANCE, Information and privacy protection**

INSURANCE, LIFE
  See also generally **FRATERNAL BENEFIT SOCIETIES; INSURANCE**
Age, misstatement — effect, 33-20-107, 33-20-305, 33-20-1206
Annuity contracts
  age, misstatement — effect, 33-20-305
  applications, See **Applications for**
  arbitration laws, nonapplicability, 27-5-114
  assets of insurers, 33-2-501
  assignability of rights, 33-15-514
  bankruptcy, proceeds exempt from, 31-2-106
  cancellation notice requirements, 33-20-141, 33-20-142
  consideration not included in premium income, 33-2-705
  contract, entire, 33-20-304
  damages, future — periodic payments through purchase of, 25-9-403
  deferred compensation used to purchase, 19-50-102
  discrimination, 33-1-502, 33-18-206, 33-18-209, 33-20-123, 49-2-309
  dividends, 33-20-306
  execution, proceeds exempt from, 33-15-514
  forms, 33-1-501, 33-1-502, 33-15-303
  grace period, 33-20-302
  incontestability, 33-20-303
  individual deferred, Title 33, chapter 20, part 5
  loans, 33-2-805, 33-20-101, 33-20-131, 33-20-135
  minors, transfers to, 72-26-603, See **TRUSTS, Minors, transfers to**
  payments, 33-15-501, 33-15-502
  principal and income determination, 72-34-405
  prohibited plans, 33-20-123
  reinstatement, 33-20-119, 33-20-307
  reversionary, 33-20-212, 33-20-401
  standard nonforfeiture law, exception to, 33-20-212
  standard provisions, 33-20-301
  standard valuation of reserve liabilities law, 33-2-521 — 33-2-529
  trust or trustee as beneficiary, 72-33-203, 72-33-207
  variable contract law, Title 33, chapter 20, part 6
Applications for, See also **INSURANCE, Applications**
  alterations, 33-15-402
  contract, part of, 33-20-106, 33-20-304, 33-20-1204
  developmental disability, discrimination prohibited, 33-18-206

INSURANCE, LIFE (Continued)
Applications for (Continued)

- evidence, as — when, 33-15-402
- reinstatement, 33-20-112
- representations, statements as, 33-20-106
- required, 33-15-401

Assignment
- annuity contracts, 33-15-514
- creditors, for benefit of — exempt, 31-2-227
- loan, secured by, 33-2-825
- policy, of, 33-15-414, 33-20-131

Beneficiaries
- industrial life policies, 33-20-115
- proceeds, holding — agreements for, 33-20-120

Benefits, See also **Payments**; See also **INSURANCE, Claims and benefits**
- additional, disregarded in calculation of values, 33-20-211
- age, misrepresentation — effect, 33-20-107, 33-20-305
- cash surrender, Title 33, chapter 20, part 5
- death, Title 33, chapter 20, part 5
- group life, See **Group life**
- nonforfeiture, See **Nonforfeiture benefits**
- paid-up annuity, Title 33, chapter 20, part 5
- prohibited plans, 33-20-123
- variable contract accounts, reserves for guaranteed benefits, 33-20-603

Benevolent associations, nonapplicability of provisions, 33-6-102

Cancellation of policy or annuity, notice requirements, 33-20-141, 33-20-142

Cash surrender values, 33-20-203
- calculation, 33-20-202, 33-20-203, 33-20-208 — 33-20-211
- exhaustion, 33-20-112
- interest, rate of, 33-20-205 — 33-20-207
- loan value equal to, 33-2-825, 33-20-131
- nonforfeiture benefits, in lieu of, 33-20-202
- payment when, 33-20-202
- policies, 33-20-112, 33-20-203, 33-20-204
- table of values, 33-20-110, 33-20-202
- term insurance, 33-20-203

Certificate loans, 33-20-131, See **Loans, policy**

Claims, See also **Payments; INSURANCE, Claims and benefits**
- credit life and disability, 33-21-105
- grace period, during, 33-20-104, 33-20-302
- payment, 33-20-114, 33-20-115
- proofs required, 33-20-114, 33-20-115

Contestability, 33-20-118, 33-20-119

Contract of, See also **INSURANCE, Contract of insurance**
- agreements, to contain, 33-18-208
- annuity, See **Annuity contracts**
- deferred compensation used to purchase, 19-50-102
- entire, policy as, 33-20-106, 33-20-304
- group life, See **Group life**
- individual deferred annuities, Title 33, chapter 20, part 5
- minors, 33-15-103
- requirements, 33-15-401
- reversionary annuity, 33-20-401
- scope of provisions, 33-20-101
- variable contracts, 33-20-601 — 33-20-606

Corporations, group insurance, 33-20-1101, 33-20-1103, 33-20-1105

INSURANCE, LIFE (Continued)

Credit life and disability
- amount, 33-21-202, 33-21-204
- banks, authorization to sell, 32-1-105, 32-1-106
- citation of the model act for the regulation of credit life insurance and credit disability insurance, 33-21-101
- claims, 33-21-105
- construction of provisions, 33-21-102
- consumer loan businesses, 32-5-306, 32-5-504
- definitions, 33-21-103
- discrimination prohibited, 33-1-502, 49-2-309
- enforcement of provisions, 33-21-111
- evidence of insurability, 33-21-203
- existing insurance, 33-21-104
- finance companies, 32-5-306, 32-5-504
- forms, 33-1-501, 33-21-205
- installment sales, 31-1-233
- insurers
  - capital or surplus fund requirements, 33-2-109
  - choice of, 33-21-104
  - claims, 33-21-105
  - forms, filing, 33-1-501, 33-21-205
  - hearings, 33-21-111
  - orders for compliance, 33-21-111 — 33-21-113
  - policy or certificate, delivery, 33-21-204
  - rates, filing, 33-21-205, 33-21-206
  - substitution, 33-21-204
  - violations, 33-21-113, 33-21-205
- issuance, form, 33-21-201
- loan companies, 32-5-306, 32-5-504
- policy or certificate, delivery and contents, 33-21-204, 33-21-207
- premiums, 33-21-204 — 33-21-206
- purpose of provisions, 33-21-102
- rates, 33-21-204 — 33-21-206
- refunds, 33-21-203, 33-21-206
- retail installment sales, 31-1-233
- rules for supervision, 33-21-111
- scope of provisions, 33-21-102
- term, 33-21-203, 33-21-204
- termination prior to scheduled maturity, 33-21-203, 33-21-206

Credit union groups, 33-20-1106
Cultural and aesthetic projects, matches for challenge grants, 22-2-309
Debtor groups, 33-20-1105
Definitions, 33-1-208, 33-20-142
Dependent rider, 33-20-121
Developmental disability, discrimination prohibited, 33-18-206
Disability insurance, nonapplicability of provisions when, 33-22-101
Discrimination prohibited, 33-1-502, 33-18-206, 33-18-209, 33-20-123, 49-2-309, See also **DISCRIMINATION, Insurance; Insurers**
Dividends, 33-20-108, 33-20-123
- annuity contracts, 33-20-306
- discrimination prohibited, 33-18-206
- increase when, 33-20-131
- variable contract accounts, allocations, 33-20-603

Do not resuscitate identification, possession — effect, 50-10-104
Employee groups, 33-20-1101, 33-20-1111

INSURANCE, LIFE (Continued)

Employer and labor union combination groups, 33-20-1103
Endowment contracts, See **Annuity contracts**
English language, 33-15-321 — 33-15-329
Exclusions contained in, 33-20-121
Execution, proceeds exempt from, 25-13-609, 33-15-511, 33-15-512, 33-15-514
Facility-of-payment clause, 33-15-511, 33-15-512
Forfeited policies, actions to recover under, 33-20-142
Fraternal benefit societies, applicability of laws, 33-7-117
Grace period, 33-20-104, 33-20-141, 33-20-302, 33-20-606, 33-20-1202
Group life, See also **Groups and group requirements**
  age, misstatement — effect, 33-20-1206
  applications, 33-20-1204
  bankruptcy, proceeds exempt from, 31-2-106
  benefits, 33-20-1206, 33-20-1207
  certificate, 33-20-131, 33-20-1208, See also **Loans, policy**
  contracts, requirements, 33-20-1001, 33-20-1201
  conversions, 33-20-1209 — 33-20-1212
  credit life and disability, See **Credit life and disability**
  disability policies, See **INSURANCE, DISABILITY, Policies, group**
  discrimination prohibited, 33-1-502, 49-2-309, See also **DISCRIMINATION, Insurance; Insurers**
  employee life insurance, 33-20-1002
  execution, proceeds exempt from, 33-15-512
  grace period, 33-20-1202
  incontestability, 33-20-1203
  individual policies, conversion to, 33-20-1209 — 33-20-1212
  insurability, evidence of, 33-20-1203, 33-20-1205, 33-20-1209, 33-20-1212
  insurance producer provisions, exemptions, 33-17-103
  liens, exempt from, 71-3-1118
  loans, policy, 33-20-101, 33-20-131
  nonforfeiture provisions required when, 33-20-1201
  part-time employees, coverage, 33-20-1209
  police protective associations, 7-32-4122, 7-32-4123
  premiums, misstatement of age — effect, 33-20-1206
  settlement period and interest, 33-20-1207
  standard nonforfeiture law, exception to, 33-20-212
  state statutes, conformity — provision for, 33-20-1213
  violations, 33-20-1003
Groups and group requirements, See also **Group life**
  credit union, 33-20-1106
  debtor groups, 33-20-1105
  disability policies, See **INSURANCE, DISABILITY, Policies, group**
  employee, 33-20-1101, 33-20-1111
  "employees" defined, 33-20-1101, 33-20-1103, 33-20-1104
  employer and labor union combinations, 33-20-1103
  labor union, 33-20-1102, 33-20-1103, 33-20-1111
  public employees, 33-20-1104
  trustee, 33-20-1103
  violations, 33-20-1003
Guaranty association, Title 33, chapter 10, part 2
Incontestability, 33-20-105, 33-20-118, 33-20-119, 33-20-303, 33-20-1203
Indebtedness
  annuity contracts, on, 33-20-505, 33-20-507
  cash surrender values, deduction from, 33-20-203, 33-20-210
  interest, 33-20-131

INSURANCE, LIFE (Continued)
Indebtedness (Continued)

loan value or proceeds, 33-20-131
reinstatement, 33-20-112, 33-20-307, 33-20-401
settlement, deduction from, 33-20-120
Individual deferred annuities, Title 33, chapter 20, part 5
Industrial life insurance, 33-20-102
applications as evidence when, 33-15-402
beneficiaries, 33-20-115
cash surrender value in lieu of nonforfeiture benefits, 33-20-202
dividends, 33-20-108
grace period, 33-20-104
mortality tables, 33-20-207, 33-20-208, See also **Mortality tables**
nonforfeiture benefits, See **Nonforfeiture benefits**
premiums, 33-2-705, 33-20-207, 33-20-208
prohibited provisions, 33-20-122
reinstatement, 33-20-112
settlement period and interest, 33-20-115
valuation, 33-2-523
variable interest rates applicable when, 33-20-133
Information and privacy protection, Title 33, chapter 19
Inheritance tax, transfers subject to — nonapplicability, 72-16-301
Installments, table of, 33-20-111
Insurability, evidence of
group insurance, 33-20-1101 — 33-20-1106, 33-20-1111
group life, 33-20-1203, 33-20-1205, 33-20-1209, 33-20-1212
reinstatement, for, 33-20-112, 33-20-307, 33-20-401
Insurers, See also **INSURERS ORGANIZATION AND REGULATION GENERALLY**
affidavits, 33-20-142
annuities, granting, 33-2-108, 33-2-109
assets, 33-2-501, 33-20-603
cancellation notice requirements, 33-20-141, 33-20-142
credit life and disability, See **Credit life and disability**
discrimination, See **DISCRIMINATION**, **Insurance**; **Insurers**
fines, 33-18-301
fraternal benefit societies, conversion into mutual life insurer, 33-7-216
insuring powers, combinations, 33-2-108
investments, 33-2-806, 33-2-825, 33-20-603
loans, authorization, 33-2-805, 33-2-825
misrepresentations, 33-18-202
mortuaries, prohibited relationships with, 33-18-301
name, conflicts, 33-2-107
nonforfeiture values, filing of changes in interest rates or mortality tables, 33-20-208
notices of compliance, filing, 33-20-206, 33-20-207, 33-20-213, 33-20-513
policy loan interest rates, 33-20-135
reciprocal, transaction of life insurance prohibited, 33-2-108, 33-5-501
reserves, 33-2-511, 33-20-603
standard valuation of reserve liabilities law, 33-2-521 — 33-2-529
surplus, apportionment, 33-20-108, 33-20-306
variable contracts, 33-20-603 — 33-20-606
Labor union groups, 33-20-1102, 33-20-1103, 33-20-1111
Language simplification, 33-15-321 — 33-15-329
Lapsed policies, actions to recover under, 33-20-142
Liability, 33-20-119, 33-20-121, 33-20-122
Liens, exempt from, 71-3-1118
Living wills, effect, 50-9-205

INSURANCE, LIFE (Continued)

Loans, policy, 33-20-131
  authorization, 33-2-805
  interest rates, 33-20-131 — 33-20-136
  investments, as, 33-2-825
  security for, 33-2-825
  settlements, amount withheld from, 33-20-120
  table of values, 33-20-110
  variable interest rates, 33-20-112, 33-20-132 — 33-20-136
Long-term care provisions, 33-1-208, 33-20-127, 33-20-128, 33-22-1107
Medical examination of applicants, 33-18-212
Minors
  acquittance, 33-15-502
  beneficiary, as, 33-20-115
  contract, power to, 33-15-103
  premiums, 33-20-204
  transfers to, 72-26-603, 72-26-702, See **TRUSTS, Minors, transfers to**
Mortality tables
  cash surrender values, 33-20-202
  individual deferred annuities, 33-20-503, 33-20-504, 33-20-506, 33-20-508
  industrial policies, 33-20-207, 33-20-208
  life policies, 33-20-205, 33-20-206, 33-20-208, 33-20-210
  nonforfeiture benefits, 33-20-121, 33-20-202
Nonforfeiture benefits
  benefits in lieu of, 33-20-202
  calculation, 33-20-121, 33-20-202, 33-20-211
  cash surrender value in lieu of, 33-20-202
  paid-up, 33-20-202, 33-20-203, 33-20-205 — 33-20-210
  policy changes, date of inception for determination, 33-20-204
  table of, 33-20-110, 33-20-202
  term insurance offered as, See **Term insurance**
Nonforfeiture provisions
  group life to contain when, 33-20-1201
  individual deferred annuities, Title 33, chapter 20, part 5
  life insurance, Title 33, chapter 20, part 2
  surplus, payment, 33-20-108
  variable contracts, 33-20-606
Nonforfeiture rights, policies issued before operative date, 33-20-117
Partnerships, group insurance, 33-20-1101, 33-20-1103, 33-20-1105
Payments
  acquittance, 33-15-501, 33-15-502
  default, 33-20-307, 33-20-401
  insurer, discharge and notice to contrary, 33-15-501
  reduction, reversionary annuity contracts, 33-20-401
Pledge of policy, 33-2-825, 33-20-131
Policies, See this subject heading generally; See also **INSURANCE, Policies**
Premarital agreements for ownership rights and disposition of death benefits, 40-2-605
Premiums
  abatement, 33-18-209
  adjusted, 33-20-204 — 33-20-208, 33-20-210
  age considered in determination, 33-20-107
  bonuses, 33-18-209
  credit life and disability, 33-21-205, 33-21-206
  credit union groups, 33-20-1106
  debtor groups, 33-20-1105

INSURANCE, LIFE (Continued)
Premiums (Continued)

- default, 33-20-112, 33-20-117, 33-20-202, 33-20-203, 33-20-210
- discrimination, 33-1-502, 33-18-206, 33-18-209, 49-2-309, See also **DISCRIMINATION, Insurance; Insurers**
- employee groups, 33-20-1101, 33-20-1111
- employee life insurance, 33-20-1002
- employer and labor union combination groups, 33-20-1103
- group life, 7-32-4122, 7-32-4123, 33-20-1206, 33-20-1209
- industrial life, 33-2-705, 33-20-102, 33-20-207
- labor union groups, 33-20-1102, 33-20-1103, 33-20-1111
- minors, life policies, 33-20-204
- nonforfeiture net level, 33-20-208
- nonpayment, 33-20-105, 33-20-141, 33-20-142, 33-20-1203
- payment generally, 33-20-113
- public employee groups, 33-20-1104
- readjustment, 33-18-209
- reduction, 33-18-209, 33-20-131
- unpaid, deducted from settlement, 33-20-120

Proceeds
- bankruptcy, exemption, 31-2-106
- execution, exempt from, 25-13-609, 33-15-511, 33-15-512, 33-15-514
- holding, 33-20-120
- installments, table of, 33-20-111
- insurer, discharge and notice to contrary, 33-15-501

Prohibited policy plans, 33-20-123
Prohibited provisions, 33-20-121, 33-20-122
Proprietors, group insurance, 33-20-1101, 33-20-1103, 33-20-1105
Public employee groups, 33-20-1104
Rates and rating organizations, nonapplicability of provisions, 33-16-103
Rebates prohibited, 33-18-208, 33-18-209
Reciprocal insurers, transaction prohibited, 33-2-108, 33-5-501
Reinstatement, 33-15-402, 33-18-212, 33-20-112, 33-20-119, 33-20-307, 33-20-401, 33-20-606
Renewal, 33-15-402
Reserve liabilities, 33-20-606, See also **INSURERS ORGANIZATION AND REGULATION GENERALLY, Reserves**, life insurance, standard valuation of reserve liabilities
Restrictions contained in, 33-20-121
Reversionary annuity contracts, 33-20-212, 33-20-401
Scope of provisions, 33-20-101
Settlement of policies, 33-20-114, 33-20-120, 33-20-302, 33-20-401, 33-20-503, 33-20-603
Standard nonforfeiture law, individual deferred annuities
- application of provisions, 33-20-502
- benefits
  - additional, 33-20-512
  - adjusted, 33-20-511
  - calculation, 33-20-503, 33-20-512
  - cash surrender, 33-20-503, 33-20-507
  - contract, termination, 33-20-504
  - death, 33-20-507, 33-20-510
  - maturity date, 33-20-509
  - minimum, not less than, 33-20-503
  - nonforfeiture amounts, minimum values based on, 33-20-505, 33-20-506
  - paid-up annuity, 33-20-503, 33-20-508
  - special, excluded, 33-20-512
- citation of standard nonforfeiture law for individual deferred annuities, 33-20-501
- exception, 33-20-504

INSURANCE, LIFE (Continued)
Standard nonforfeiture law, individual deferred... (Continued)

  maturity date, 33-20-509
  mortality table, 33-20-503, 33-20-504, 33-20-506, 33-20-508
  nonforfeiture amounts, minimum, 33-20-505 — 33-20-508
  nonforfeiture provisions, 33-20-503
  operative date, 33-20-513
  termination, 33-20-504
Standard nonforfeiture law, life insurance
  cash surrender values, 33-20-203, 33-20-210, See also **Cash surrender values**
  citation of standard nonforfeiture law for life insurance, 33-20-201
  exceptions, 33-20-212
  industrial policies, mortality tables, 33-20-207, See also **Industrial life insurance**
  mortality tables, 33-20-205 — 33-20-208
  nonforfeiture, 33-20-202, 33-20-203, 33-20-208, 33-20-209, See also **Nonforfeiture benefits**
  operative date, 33-20-206, 33-20-213
  premiums, adjusted, 33-20-204, 33-20-205, 33-20-208
  values, calculation, 33-20-211
Standard provisions, 33-20-103, 33-20-301, 33-20-401
Standard valuation of reserve liabilities law, 33-2-521 — 33-2-529
State statutes, conformity — provision for, 33-20-124, 33-20-1213
Substandard policies, 33-20-205 — 33-20-208
Tables, 33-20-110, 33-20-111, 33-20-202, See also **Mortality tables**
Termination when, 33-20-131, 33-20-135, 33-20-504, 33-20-1210
Term insurance
  cash surrender value, 33-20-203
  paid-up, 33-20-112, 33-20-205 — 33-20-208
  premiums, adjusted, 33-20-204
  standard nonforfeiture law, exception to — when, 33-20-212
  variable interest rates, nonapplicability, 33-20-133
Title on policy, 33-20-116
Transfer of property in contemplation of death, nonapplicability, 72-16-301
Trustee groups, 33-20-1103
Unclaimed funds held by, Title 70, chapter 9
Values
  cash surrender, See **Cash surrender values**
  nonforfeiture benefits, See **Nonforfeiture benefits**
  premiums, adjusted — present value, 33-20-208, 33-20-210
  prohibited plans, 33-20-123
  table of, 33-20-110, 33-20-202
Variable contracts
  accounts, separate — establishment and allocations to, 33-20-603, 33-20-606
  assets, allocation and valuation, 33-20-603
  citation of variable contract law, 33-20-601
  contents, 33-20-606
  contract of insurance requirements, to meet, 33-20-606
  doing business requirements of insurer, 33-20-605
  issuance and sale, regulation, 33-20-602
  prospectus, filing, 33-20-606
  reserve liability, 33-20-606
  reserves for guaranteed benefits and funds, 33-20-603
  rules, 33-20-602
  statement of essential features, 33-20-604
  transfers between accounts, 33-20-603
Void when, 33-20-122, 33-20-131

INSURANCE, MARINE
  See also **INSURANCE**
Citation of Nationwide Inland Marine Definition Act, 33-1-221
Coverages and risks, 33-1-223 — 33-1-229
Defined, 33-1-209
Discrimination prohibited, 33-1-502, 49-2-309, See **DISCRIMINATION, Insurance; Insurers**
Insurance producer, resident requirements — nonapplicability, 33-17-1111
Policies, language simplification — nonapplicability, 33-15-336
Purpose of provisions, 33-1-222
Rates and rating organizations, nonapplicability of provisions, 33-16-103
Service of process provisions, exemption, 33-1-614
Surplus lines insurance provisions, nonapplicability, 33-2-317

INSURANCE POLICY LANGUAGE SIMPLIFICATION ACT, LIFE AND DISABILITY, 33-15-321 — 33-15-329
  See **INSURANCE, Policies**, language simplification

INSURANCE PREMIUM FINANCE COMPANY ACT, Title 33, chapter 14
  See **INSURANCE, Premium finance companies**

INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS, AND ADMINISTRATORS
Address change, notice, 33-17-214
Adjusters, 33-17-102, 33-17-301, 37-60-101, See also **Administrators**; **License, adjuster; License suspension, revocation, or refusal**
  farm mutual insurers, 33-4-411, See also **INSURERS, FARM MUTUAL**
  glass repair shops, prohibited practices, 30-14-225, 33-18-221 — 33-18-223, 33-18-1006
  motor vehicles, transfer of ownership when, 61-3-205
  private investigators, nonapplicability of provisions, 37-60-105
Administrators, 33-17-102, See also **Adjusters**
  advertising, approval, 33-17-612
  audits, 33-17-611
  availability of, notice to insureds, 33-17-618
  certificate of registration, 33-17-603, 33-17-604
  claims, 33-17-615, 33-17-617
  documents, delivery, 33-17-616
  fees, 33-17-603
  fiduciary account, establishment, 33-17-613
  fines, 33-17-603
  hearings, 33-17-603
  insureds, duties, 33-17-616, 33-17-618
  license, 33-17-102
  payments, 33-17-614, 33-17-615
  premiums and charges, collection, 33-17-613, 33-17-618
  records, 33-17-602, 33-17-611, 33-17-613
  small employer health insurance carriers, arrangements with, 33-22-1813
  utilization reviews, applicability, 33-22-125
  violations, 33-17-603
Advisory board contracts or agency company stock as inducements to insurance, prohibited, 33-18-211
Affidavits, 33-2-310, 33-2-313, 33-17-1003, 33-18-401, 33-20-142, 33-22-122
Appeals by, See **INSURANCE, COMMISSIONER OF, Appeals**
Associations
  adjuster license, 33-17-301, 33-17-1004
  insurance producer license, 33-17-211, 33-17-214, 33-17-1004

INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS,... (Continued)
Associations (Continued)

  "person" defined, 33-17-102
Cease and desist orders, 33-1-318, 33-17-1204, 33-18-1006
Consultants, 33-17-102, 33-17-502, 33-17-507, 33-17-511 — 33-17-513, See also **Continuing education for insurance producers and consultants; License, consultant; License suspension, revocation, or refusal**
Continuing education for insurance producers and consultants
  advisory council, 33-17-1204
  citation of insurance producer and consultant continuing education act, 33-17-1201
  compliance, 33-17-1205
  courses, review and approval, 33-17-1204
  exceptions, 33-17-1203
  fees, 33-2-708, 33-17-1205, 33-17-1207
  funding for program, 33-17-1207
  noncompliance, 33-17-1001, 33-17-1205
  purpose, 33-17-1202
  requirements, basic, 33-17-1203
  rules, 33-2-708, 33-17-1204, 33-17-1206
Controlled business, 33-17-102, 33-25-105, See also **INSURANCE, TITLE**
  insurance producer license prohibited, 33-17-201
Corporations
  adjuster license, 33-17-301, 33-17-1004
  insurance producer license, 33-17-211, 33-17-212, 33-17-214, 33-17-216, 33-17-217, 33-17-1004, 33-31-311
  license suspension, revocation, or refusal, 33-17-1001, 33-17-1002
  nonresident insurance producer, as, 33-17-401
  "person" defined, 33-17-102
Crime Control, Division of — requests for information, 53-9-104
Customer service representative, 33-17-102
Deceptive practices, See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Prohibited practices**
Definitions, 33-7-525, 33-17-102, 33-17-103, 33-19-104, 33-25-105, 33-30-311, 33-31-102
Examinations
  adjusters, 33-1-402
  administrator's records, 33-17-611
  consultants, 33-17-505
  insurance producers, 33-1-402, 33-2-310, 33-2-313, 33-2-708, 33-17-212, 33-17-213, 33-17-1001, 33-25-201, 33-30-312, 33-31-401
Fees, See also specific **License** entry
  administrators, certificate of registration, 33-17-603
  appointment of insurance producer, 33-2-708
  continuing education, 33-2-708, 33-17-1205, 33-17-1207
  examination, 33-2-708, 33-17-212, 33-17-505
  retaliatory, 33-2-709
Fines, 33-1-317, 33-1-318, 33-1-411, 33-17-411, 33-17-502, 33-17-603, 33-17-1004, 33-17-1205, 33-18-305, 33-18-401, 33-31-211, 33-31-311
Forgery, 33-17-1001
Fraudulent practices, 33-17-1001, 33-18-401
Funds
  commingling, 33-17-1102, 33-25-301
  misappropriation, 33-17-1001, 33-17-1102
  title insurance producers, 33-25-201, 33-25-301
Inducements to insurance prohibited, 33-18-210, 33-18-211
Information and Privacy Protection Act, Title 33, chapter 19

INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS,... (Continued)

Insurance producers generally, See also **Nonresident insurance producers; Resident insurance producers**
- administrators, applicability of provisions, 33-17-102
- advances, 33-2-502
- applications for insurance, 33-17-103, 33-18-401
- appointment, 33-2-127, 33-2-708, 33-17-232, 33-17-236, 33-17-237
- associations licensed as, 33-17-211, 33-17-214, 33-17-1004
- assumed business name, registration, 33-17-211
- authority suspended when, 33-2-120
- benevolent association insurance producers, 33-6-402, 33-6-403
- claims or proofs of loss, false or fraudulent, 33-18-401
- commissions, 33-17-1103, 33-17-1112, 33-17-1113, 33-17-1114, 33-18-210, 33-25-202
- competition, 33-15-1101
- consultant provisions, applicability to casualty insurance producers, 33-17-502
- consumer loan businesses, requirement of particular agent prohibited, 32-5-306
- controlled business, license for — prohibited, 33-17-201
- corporations licensed as, 33-17-211, 33-17-212, 33-17-214, 33-17-216, 33-17-217, 33-17-1004, 33-31-311
- credit extended to policyholders, 33-18-213
- customer service representative, 33-17-102
- death, effect on license, 33-17-216, 33-17-217
- defined, 33-7-525, 33-17-102, 33-17-103, 33-19-104, 33-25-105, 33-30-311, 33-31-102
- disability, effect on license, 33-17-216, 33-17-217
- disability insurance
    - comprehensive health association plans, marketing and referral fees, 33-22-1515
    - excess or rejected business, placement, 33-22-1515
    - health maintenance organization insurance producers, applicability of provisions, 33-31-311
    - licensing qualifications, 33-17-211, See also **License, insurance producer**
    - long-term care facilities, prohibited relations, 33-17-1107
- domestic stock and mutual insurers, 33-3-206, 33-3-217
- education requirements, 33-2-708, 33-17-207 — 33-17-209
- employees, 33-17-103, 33-17-1111
- examination prior to licensing, See **License, insurance producer**
- exemptions from provisions, 33-17-103
- false or fraudulent applications, claims, or proofs of loss, 33-18-401
- false statements, 33-25-301
- farm mutual insurers, See **INSURERS, FARM MUTUAL**
- federal crop insurance, all-risk — persons licensed for, requirements, 33-17-201, 33-17-212
- fraternal benefit societies, 33-7-117, 33-7-525, 33-7-526, 33-7-532, 33-7-533, 33-17-201
- funds
    - commingling, 33-17-1102, 33-25-301
    - misappropriation, 33-17-1102
    - title insurance producers, 33-25-201, 33-25-301
- glass repair shops, prohibited practices, 30-14-225, 33-18-221 — 33-18-223, 33-18-1006
- guaranty association insurance producers
    - casualty and property, 33-10-106, 33-10-110, 33-10-113
    - life and health, 33-10-207, 33-10-216
- health insurance for older persons, extended
    - service of process, 33-22-804, 33-22-805
    - transaction, 33-22-813
- health maintenance organization insurance producers, 33-31-102, 33-31-211, 33-31-311, 33-31-312, 33-31-401
- health service corporation insurance producers, Title 33, chapter 30
- inducements to insurance prohibited, 33-18-210, 33-18-211

INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS,... (Continued)
Insurance producers generally (Continued)

- insurer's certificate of authority suspended or revoked, notification and effect, 33-2-120, 33-2-121
- liability risk retention groups and purchasing groups, 33-11-104, 33-11-109, 33-11-123
- license, See **License, insurance producer; License suspension, revocation, or refusal**
- long-term care facilities, prohibited relations, 33-17-1107
- long-term care insurance producers, 33-22-1111, See **INSURANCE, DISABILITY, Long-term care insurance**, generally
- managing general agents, 33-17-102
- mechanical breakdown insurance producers, 33-17-212
- misappropriation of funds, 33-17-1102
- notice provisions, noncompliance, 33-2-1347
- partnerships licensed as, 33-17-211, 33-17-212, 33-17-214, 33-17-216, 33-17-217, 33-17-1004, 33-31-311
- place of business, 33-17-1101
- policies, See also **INSURANCE, Policies**
  - countersignature requirements, 31-1-233, 33-17-404, 33-17-1111 — 33-17-1113
  - discrimination prohibited, 33-18-210
  - employees, acts by, 33-17-1111
  - home or branch offices, issuance at, 33-17-1114
  - nonrenewal, notice to, 33-15-1105
  - outside state, originating — commissions, 33-17-1113
- policyholders, credit extended to, 33-18-213
- political contributions prohibited, 33-18-305
- premium finance companies, Title 33, chapter 14
- premiums
  - controlled business, on, 33-17-201
  - credit extended to policyholders, 33-18-213
  - discrimination prohibited, 33-18-210
  - employees, receipts by, 33-17-103
  - reporting and accounting, 33-11-104, 33-17-1102
- product liability insurance producers, 33-2-723
- rating or advisory organizations, 33-16-106
- records, 33-17-1101, 33-17-1111
- retaliatory fees and licenses, 33-2-709
- risk retention groups and purchasing groups, registration requirements, 33-11-108
- small employer health insurance, Title 33, chapter 22, part 18
- surplus lines, See **INSURANCE, SURPLUS LINES**
- taxing, preemption of state, 33-2-707
- temporary license, 33-2-708, 33-3-206, 33-17-208, 33-17-216, 33-17-217
- title insurance producers, See **INSURANCE, TITLE**
- training requirements, 33-17-207 — 33-17-209, 33-17-211
- transportation ticket agents of common carriers, 33-17-212
- vending machines, 33-2-708, 33-17-221
- violations, 33-17-237, 33-17-1001, 33-17-1004, 33-17-1102, 33-25-301
- workers' compensation classification and rating committee, appointment to, 33-16-1011

Insurers

- administrators
  - advertising, approval, 33-17-612
  - applicability of provisions to insurers, 33-17-102
  - documents, delivery instructions, 33-17-616
  - insureds, approval of notice for, 33-17-618
  - payments, 33-17-614, 33-17-615
  - premiums and charges, collection, 33-17-613
  - records, 33-17-602, 33-17-611

INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS,... (Continued)
Insurers (Continued)
  administrators (Continued)
    written agreements, 33-17-602
  annual statements, 33-2-701, 33-31-211, See **INSURERS ORGANIZATION AND REGULATION GENERALLY**
  consultants, recommendations restricted, 33-17-513
  controlling producers, Title 33, chapter 2, part 15
  delinquency proceedings, See **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
  exclusions from insurance producer provisions, 33-17-103
  fees, 33-2-708
  holding company systems, See **INSURERS ORGANIZATION AND REGULATION GENERALLY**
  insurance producers
    appointment, 33-2-708, 33-17-231, 33-17-232, 33-17-236, 33-17-237
    commissions, 33-17-1103
    premiums, reporting and accounting, 33-17-1102
  policies, 33-17-1111 — 33-17-1114
  unauthorized, representing or aiding prohibited, 33-2-104
Investigators, private — nonapplicability of licensing provisions, 37-60-105
Lenders, favoritism prohibited, 33-18-501
License, adjuster, 33-2-708, 33-17-102, 33-17-301, 33-17-1003, 33-17-1004, 49-3-204, See also **License suspension, revocation, or refusal**
License, administrator, 33-17-102
License, consultant, 33-17-102, 33-17-501 — 33-17-507, 49-3-204, See also **License suspension, revocation, or refusal**
License, insurance producer, 33-17-102, 33-17-201, See also **License suspension, revocation, or refusal**
  application, 33-2-708, 33-17-201, 33-17-211, 33-17-216, 33-31-311
  associations, 33-17-211, 33-17-214, 33-17-1004
  change of address, notice, 33-17-214
  contents, 33-17-214
  continuance, 33-17-201, 33-18-212, 33-17-216, 33-17-221
  controlled business, for — prohibited, 33-17-201
  corporations, 33-17-211, 33-17-212, 33-17-214, 33-17-216, 33-17-217, 33-17-1004, 33-31-311
  death of insurance producer, effect, 33-17-216, 33-17-217
  disability insurance producer, 33-17-211
  disability of insurance producer, effect, 33-17-216, 33-17-217
  discrimination prohibited, 33-17-213, 49-3-204
  display, 33-17-1101
  domestic insurer, transfer of domicile — effect, 33-2-127
  domestic stock and mutual insurance producers, 33-3-206
  education requirements, 33-2-708, 33-17-207 — 33-17-209
  effective period, 33-17-214, 33-17-216
  examinations, 33-2-708, 33-3-206, 33-17-207 — 33-17-209, 33-17-211 — 33-17-214, 33-17-216, 33-30-102, 33-30-312
  expiration, 33-17-216, 33-17-221
  failure to have, 33-17-1004
  federal crop insurance, all-risk — persons licensed for, 33-17-201, 33-17-212
  fees, 33-2-708, 33-17-211, 33-17-212, 33-17-214, 33-17-216, 33-17-221, 33-31-311
  forms, 33-2-305, 33-17-201, 33-17-211
  health maintenance organization insurance producer, 33-31-311
  issuance, 33-17-201, 33-17-214
  lapse, 33-17-208, 33-17-214
  liability risk retention group or purchasing group insurance producers, 33-11-123
  life insurance producers, 33-17-201, 33-17-211
  lost, destroyed, or stolen, 33-17-1003

INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS,... (Continued)
License, insurance producer (Continued)

- managing general agents, 33-2-1501; Title 33, chapter 2, part 16
- master license, 33-2-708
- mechanical breakdown insurance producer, 33-17-212
- partnerships, 33-17-211, 33-17-212, 33-17-214, 33-17-216, 33-17-217, 33-17-1004, 33-31-311
- penalty, 33-17-214
- prohibited when, 33-17-201
- qualifications, 33-17-208, 33-17-211
- reciprocity, 33-17-212
- reinstatement, 33-17-208
- reinsurance intermediary-managers, Title 33, chapter 2, part 17
- reissuance, 33-2-708
- renewal and fee, 33-2-708, 33-31-311
- resident association of licensed Montana insurance producers, 33-17-211, 33-17-212
- restricted license, 33-17-201
- return of license, 33-17-1003
- state, property of, 33-17-1003
- surplus lines insurance producers, See **INSURANCE, SURPLUS LINES, Insurance producers**
- temporary insurance producer license, 33-2-708, 33-3-206, 33-17-208, 33-17-216, 33-17-217, 33-17-1203
- termination, 33-17-201
- training requirements, 33-17-207 — 33-17-209, 33-17-211
- transportation, common carriers — ticket agents, 33-17-212
- vending machines, 33-2-708, 33-17-221

License, nonresident insurance producer, 33-2-708, 33-17-208, 33-17-211, 33-17-212, 33-17-401, 33-17-411, 49-3-204
License, public adjuster, 33-17-301
License suspension, revocation, or refusal

- adjuster license, 33-17-301
- appeals from, 33-1-711
- consultant license, 33-17-506, 33-17-507
- domestic stock and mutual insurance producers, 33-3-206
- grounds for, 33-2-1605, 33-2-1709, 33-17-211, 33-17-1001, 33-17-1205, 33-25-301
- health maintenance organization insurance producers, 33-31-311
- hearings, 33-2-1347, 33-17-211, 33-17-507, 33-17-1001, 33-25-301
- ineligibility following revocation, 33-17-1002
- liquidation of insurer, notice requirements — noncompliance, 33-2-1347
- nonresident insurance producers, 33-17-411
- penalty, as, 33-17-211
- premiums owed, violation of recovery provision, 33-2-1362
- procedure following, 33-17-1002
- reissuance following revocation, 33-17-1002
- resident association of licensed Montana insurance producers, 33-17-211
- return of license, 33-17-1003
- title insurance producers, 33-25-301
- vending machines, 33-17-221

Life insurance producers, 33-17-201, 33-17-211, 33-17-1107, See also **Insurance producers generally**
Liquidation of insurer, notice requirements, 33-2-1346, 33-2-1347
Long-term care insurance producers, 33-22-1111
Managing general agents, 33-17-102
Mechanical breakdown insurance producers, 33-17-212
Misappropriation of funds, 33-17-1001, 33-17-1102
Montana Insurance Consultant Licensure Act, Title 33, chapter 17, part 5

INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS,... (Continued)

Motor club service companies, agents for, 61-12-301, 61-12-302, 61-12-309, 61-12-312
Motor vehicle liability insurance, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Insurance carriers; Liability insurance**
Nonresident insurance producers, See also **Insurance producers generally; Resident insurance producers**
  continuing education requirements, exception, 33-17-1203
  fines for violations, 33-17-411
  insurance code, subject to, 33-17-406
  license, 33-2-708, 33-17-208, 33-17-211, 33-17-212, 33-17-401, 33-17-411, 49-3-204
  limitations, conditions, or requirements — effect of imposition by other state, 33-17-401
  place of business, 33-17-1101
  policies, 33-2-710, 33-17-404, 33-17-1111, See also **INSURANCE, Policies**
  reciprocity when, 33-17-211, 33-17-401
  service of process, 33-17-405
  taxation, subject to, 33-17-407
  violations, 33-17-411
Partnerships
  adjuster license, 33-17-301, 33-17-1004
  commissions, 33-17-1103
  insurance producer license, 33-17-211, 33-17-212, 33-17-214, 33-17-216, 33-17-217, 33-17-1004, 33-31-311
  license suspension, revocation, or refusal, 33-17-1001
  nonresident insurance producer, as, 33-17-401
  "person" defined, 33-17-102
Penalties, 33-1-318, 33-2-1347, 33-17-211, 33-17-214, 33-18-305
Political contributions prohibited, 33-18-305
Prelicensing education, 33-2-708, 33-17-207 — 33-17-209
Premium Finance Company Act, Title 33, chapter 14
Private investigators, nonapplicability of licensing provisions, 37-60-105
Product liability insurance producers, 33-2-723
Prohibited practices, See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Prohibited practices**
Public adjusters, 33-17-102, 33-17-301
Purpose of provisions, 33-17-101
Reciprocity
  licensing, when, 33-17-211, 33-17-212, 33-17-301, 33-17-401
  policies, countersignature requirements, 33-17-1111
Resident insurance producers, See also **Insurance producers generally; Nonresident insurance producers**
  association of licensed Montana insurance producers, 33-17-211, 33-17-212
  domestic stock and mutual insurance producers, 33-3-206
  license, See **License, insurance producer**
  nonresident insurance producers, countersignature of policies, 33-17-404, 33-17-1111
  policies, 33-17-1111 — 33-17-1113, See also **INSURANCE, Policies**
  records, 33-17-1111
  surplus lines insurance producers, licensing as, See **INSURANCE, SURPLUS LINES, Insurance producers**
  vending machine licenses, 33-17-221
Rules, 33-17-201, 33-17-209, 33-17-301
Scope of provisions, 33-17-101
Surplus lines insurance producers, See **INSURANCE, SURPLUS LINES**
Title insurance producers, See **INSURANCE, TITLE**
Training, 33-17-207 — 33-17-209, 33-17-211
Transportation, common carriers
  ticket agents, 33-17-212

INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS,... (Continued)
Transportation, common carriers (Continued)
    vending machines, 33-2-708, 33-17-221
Unauthorized insurers, representing or aiding prohibited, 33-2-104
Unemployment insurance coverage exclusions, 39-51-204
Unfair trade practices, See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Prohibited practices**
Vending machines, licensing, 33-2-708, 33-17-221
Violations, 33-1-318, 33-17-1001
    adjusters, failure to have license, 33-17-1004
    administrators, 33-17-603
    consultants, failure to have license, 33-17-502
    false or fraudulent applications, claims, or proofs of loss, 33-18-401
    insurance producers
        license, failure to have, 33-17-1004
        misappropriation of funds, 33-17-1102
        nonresident insurance producers, 33-17-411
    political contributions, 33-18-305
    title insurance producers, 33-25-301

INSURANCE, PROPERTY
    See also generally **INSURANCE; INSURANCE, CASUALTY; INSURANCE, MARINE**
Definitions, 33-1-210, 33-15-1102
Defraud, damage or destruction to, 45-6-101
Discrimination, 33-1-502, 33-15-1101, 33-18-207, 33-18-210, 49-2-309, See also **DISCRIMINATION, Insurance; Insurers**
Dividends, discrimination prohibited, 33-18-210
Fire insurance
    agricultural commodity
        dealers, requirements, 80-4-601
        warehouse operators, requirements, 80-4-502, 80-4-506
    condominiums, common expenses, 70-23-612
    county buildings, 7-8-2104
    credit unions, requirements, 32-3-201
    day-care facilities, 52-2-723, 52-2-724
    devise, proceeds acquired by — nonademption, 72-2-616
    farm property, stock, and rural buildings, 33-4-101, 33-4-501, 33-4-502, See **INSURERS, FARM MUTUAL**
    home insurance, notice requirements for cancellation or nonrenewal, 33-23-401
    indemnity, measure of and rescission for fraud, 33-24-101
    information to state agencies, 50-3-102, 50-63-203, 50-63-401 — 50-63-405
    insurer
        insolvency declared when, 33-2-1303
        reinsurance, limit of risk, 33-2-1201
    leakage and fire extinguishing equipment, against loss or damage caused by, 33-1-206
    nationwide inland marine, coverage inapplicable, 33-1-228
    premium tax, report requirements and payments from, 19-18-512, 33-2-705
    rates, standards, 33-16-201
    recovery on policy, testimony of law enforcement and fire protection personnel, 50-63-404
    tax lien on proceeds when, 33-24-104
Glass repair shops, prohibited practices, 30-14-225, 33-18-221 — 33-18-223, 33-18-1006
Guaranty association, Title 33, chapter 10, part 1
Home insurance, notice requirements for cancellation or nonrenewal, 33-23-401
Housing authorities, municipal, 7-15-4460, 7-15-4525
Improvements, insuring — insurance equal to true value, 33-24-102
Information and Privacy Protection Act, Title 33, chapter 19
Insurable interests, 33-15-205 — 33-15-207

INSURANCE, PROPERTY (Continued)

Insurers, See also INSURERS ORGANIZATION AND REGULATION GENERALLY
  contracts rescinded when, 33-24-101
  discrimination, See **DISCRIMINATION, Insurance; Insurers**
  insolvency declared when, 33-2-1303
  personal property, loss computations, 33-24-103
  policies, fraud in obtaining — as defense to suit, 33-24-102
Lenders, restrictions, 33-18-501
Libraries, public — authority of board of trustees, 22-1-309
Parking commissions, 7-14-4622, 7-14-4634, 7-14-4656
Personal property, loss computations, 33-24-103
Policies
  cancellation, renewal, or nonrenewal, 33-15-1101 — 33-15-1107, 33-15-1121, 33-23-401
  home insurance, 33-15-1111, 33-23-401
  language simplification, 33-15-333 — 33-15-340
  state statutes, conformity with, 33-24-105
Preferred rates, prohibited when, 33-18-207
Premiums, 33-15-1101 — 33-15-1107, 33-15-1121, 33-18-207, 33-18-210
Principal and income, determination, 72-34-404
Rates, 33-16-201, 33-18-207
Rebates prohibited, 33-18-210
School district property, requirements, 20-6-608
Service of process provisions, exemption, 33-1-614
State statutes, conformity with, 33-24-105
Surplus lines, See INSURANCE, SURPLUS LINES
Trust property, against damage or loss, 72-34-331
Urban renewal property, 7-15-4233, 7-15-4258
Valuation of property, 33-24-102, 33-24-103

INSURANCE, SURETY
  See SURETYSHIP AND SURETIES, **Surety insurance**

INSURANCE, SURPLUS LINES
  See also INSURANCE
Actions
  insurers, against, 33-2-314
  premium tax and penalty, recovery, 33-2-312
Advisory organization, 33-2-303, 33-2-312, 33-2-316, 33-2-321
Certificate of insurance or cover note, 33-2-303, 33-2-308, 33-2-310
Citation of the Surplus Lines Insurance Law, 33-2-301
Contracts, 33-2-303 — 33-2-305, 33-2-314
Definitions, 33-2-301, 33-2-307
Discrimination prohibited, 33-1-502, 49-2-309, See also **DISCRIMINATION, Insurance; Insurers**
Evidence
  advisory organizations, examinations, 33-2-321
  insurance, of, 33-2-308
Examination, 33-2-321
Exemptions, 33-2-317
Hearings, 33-2-321, 33-17-1001
Inspection of risk, fee, 33-2-306
Insurance producers, 33-2-301
  acceptance of business from other agents, 33-2-306
  advisory organizations, 33-2-321
  affidavit required when, 33-2-310, 33-2-313
  annual statements, 33-2-310, 33-2-312, 33-2-313
  authority, 33-2-306

INSURANCE, SURPLUS LINES (Continued)
Insurance producers (Continued)

- certificate of insurance or cover note — issuance, delivery, and changes, 33-2-308
- contract endorsements, 33-2-303
- corporations as, 33-2-305
- examination of, 33-1-402, 33-2-310, 33-2-313
- fees and fines, 33-2-305, 33-2-306
- filings, 33-2-303, 33-2-305, 33-2-310, 33-2-321
- inspection of risk, fee, 33-2-306
- insurance procured from, conditions for, 33-2-302
- insureds, failure to notify of policy changes, 33-2-308
- insurers, withdrawal of eligibility — notice, 33-2-307
- license, 33-1-711, 33-2-305, 33-2-306, 33-2-312, 33-2-313, 33-2-321, 33-2-708, 49-3-204
- offices, closure, 33-2-313
- penalties, 33-2-308, 33-2-312, 33-2-313, 33-2-316, 33-2-326
- placement of insurance, 33-2-306, 33-2-307
- policies, 33-2-308, 33-2-310
- premiums, 33-2-309, 33-2-310
- premium tax, 33-2-305, 33-2-311 — 33-2-313
- records, 33-2-310, 33-2-313
- renewal of insurance, 33-2-306
- risk retention groups and purchasing groups, 33-11-102, 33-11-108, 33-11-109
- rules governing, 33-2-316, 33-2-321
- stamping fee, 33-2-312, 33-2-321
- surety bond requirements, 33-2-305
- violations, 33-2-308, 33-2-313, 33-2-326

Insurers, 33-2-301, See also **INSURERS ORGANIZATION AND REGULATION GENERALLY**

- actions against, 33-2-314
- certificate of authority requirement, exception to, 33-2-102, 33-2-104, 33-2-119
- discrimination, See **DISCRIMINATION, Insurance; Insurers**
- eligible insurers, 33-2-301, 33-2-302, 33-2-307
- insurance producers representing or aiding insurers in violations, 33-2-326
- liability as to losses or unearned premiums, 33-2-309
- liability risk retention groups and purchasing groups, 33-11-102, 33-11-109
- rules, 33-2-316
- service of process, 33-1-614, 33-2-315

Losses covered by, insurer's liability, 33-2-309
Policies

- cancellation, renewal, or nonrenewal, 33-15-1102
- issuance and delivery, 33-2-102, 33-2-308

Premiums, 33-2-309, 33-2-321
Premium tax, 33-2-305, 33-2-311 — 33-2-313, 33-2-706, 33-18-212
Rates and ratemaking organizations, nonapplicability of provisions, 33-16-103
Rules governing, 33-2-316, 33-2-321
Sale of, conditions precedent to, 33-2-302
Service of process, 33-2-315, 33-2-321

- exemption, 33-1-614

Short title, 33-2-301
Stamping fee, 33-2-312, 33-2-321
Unearned premiums, insurer's liability, 33-2-309
Validity, 33-2-304
Violations, 33-2-308, 33-2-313, 33-2-321, 33-2-326

INSURANCE, TITLE
See also **INSURANCE**
Abstracts of title, 33-25-105, 33-25-111

INSURANCE, TITLE (Continued)
Abstracts of title (Continued)

subdivisions, local review — requirements, 76-3-612
Agency contracts, 33-25-302
Applicability of provisions, 33-25-106
Approved attorney, 33-25-105, 33-25-213, 33-25-214
Associate, 33-25-105, 33-25-403
Citation of Montana Title Insurance Act, 33-25-104
Claims, reporting, 33-25-215
Commitments, See **Preliminary report**
Conservation district conservation practice loans, on land secured for, 76-15-546
Contract of insurance, applicability of provisions, 33-15-101
Controlled business, 33-25-105, 33-25-401
Debt adjustment by company, 31-3-203
Definitions, 33-1-212, 33-25-105
Discrimination prohibited, 33-1-502, 33-18-210, 33-25-212, 49-2-309, See also **DISCRIMINATION, Insurance; Insurers**
Escrow business regulation provisions, exemption, 32-7-103
Escrows, settlements, or closings, 33-25-201, 33-25-301
Information and privacy protection provisions, nonapplicability when, 33-19-103
Injunction, 33-1-318, 33-25-402
Insurability, determination, 33-25-105, 33-25-214
Insurance producers, 33-25-105
  accounts, maintenance, 33-25-201
  agency contracts, 33-25-302
  claims, reporting, 33-25-215
  commissions, acceptance, 33-25-202
  escrow, settlement, or closing — funds, records, and services provided, 33-25-201
  examinations, 33-25-201
  favoritism by producer or associate prohibited, 33-25-403
  irrigation districts, records of ownership prepared by agent as sufficient evidence of title, 85-7-102
  license, 33-17-212, 33-17-213, 33-25-301
  mortgagee policy, issuance, 33-25-216
  obligations guaranteed, 33-25-213
  rates, 33-25-105, 33-25-202
  records, 33-17-1101, 33-25-201, 33-25-214
  rules, compliance, 33-25-201
  solicitation of business, 33-25-105
  stock, insurer's investment in, 33-2-851
  title indemnification, funds and records, 33-25-201
  title searches and examinations, 33-25-214
  violations, 33-25-301
Insurers, 33-25-105, See also **INSURERS ORGANIZATION AND REGULATION GENERALLY**
  agency contracts, 33-25-302
  assets, 33-2-502, 33-2-851
  authority, limitations, 33-25-213
  bonds, payment guarantees prohibited, 33-25-213
  claims, reporting to, 33-25-215
  coinsurers, 33-25-214
  commissions, acceptance, 33-25-202
  delinquency proceedings, applicability, 33-2-1304, See also **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
  deposit requirements, 33-2-111
  discrimination, 33-18-210, See also **DISCRIMINATION, Insurance; Insurers**
  escrow, settlement, or closing — funds, records, and services provided, 33-25-201

INSURANCE, TITLE (Continued)
Insurers (Continued)

- favoritism by producer or associate prohibited, 33-25-403
- guaranteeing of obligations prohibited and exceptions, 33-25-213
- guaranty fund, establishment and maintenance, 33-2-517, 33-25-211
- investments, 33-2-851, 33-25-211
- mortgagee policy, issuance, 33-25-216
- mortgages, payment guarantees prohibited, 33-25-213
- rates, 33-25-202, 33-25-212
- reciprocal, transaction by — prohibited, 33-5-501
- records, 33-25-201, 33-25-214
- reserves for unearned premiums, 33-2-512, 33-2-517
- rules, compliance, 33-25-201
- stock insurers, to be, 33-2-108
- title indemnification, funds and records, 33-25-201
- underwriting rules and standards, insurability determined by, 33-25-105, 33-25-214

Law, practice of — not authorized, 33-25-106
Loss claims, reporting, 33-25-215
Mortgagee policy, issuance, 33-25-216
Policies, 33-25-105
- abstracts of title distinguished from, 33-25-111
- issuance, 33-25-105, 33-25-214, 33-25-216
- liens to be shown, 33-25-214
- misrepresentation of terms, 33-25-301

Preliminary report, 33-25-105, 33-25-111, 33-25-214
Premiums, 33-2-705, 33-18-210. See also **INSURERS ORGANIZATION AND REGULATION GENERALLY, Premium tax**
Producer of title business, 33-25-105, 33-25-403
Prohibited practices, 33-1-318, 33-25-401 — 33-25-403
Rates, 33-18-210, 33-25-105, 33-25-202, 33-25-212
Reciprocal insurers, transaction by — prohibited, 33-5-501
Records of insurance producer or insurer, 33-17-1101, 33-25-201, 33-25-214, See also **Title plant**
Referrals, 33-25-105, 33-25-401
Reinsurance, contracts of, 33-25-214
Rules, 33-25-201, 33-25-214, 33-25-301
Short title, 33-25-104
Splitting charges, 33-25-401
Title abstracting, searching, and examining, 33-25-105, 33-25-214
- escrow business regulation provisions, exemption, 32-7-103

Title indemnification, funds and records, 33-25-201
Title plant, 33-2-851, 33-25-105
- subdivisions, local review — requirements, 76-3-612
- tax provisions, 15-6-201, 15-24-602, 15-30-111, 15-31-114

Trust indenture, insurer or agent as trustee for, 71-1-306
Violations, 33-1-318, 33-25-301

INSURERS, DOMESTIC STOCK AND MUTUAL
See also **INSURERS ORGANIZATION AND REGULATION GENERALLY**
Actions
- assessments, collection, 33-3-413
- equity securities, inside trading — recovery of profit, 33-3-442

Acknowledgment, articles of incorporation, 33-3-201, 33-3-203
Advertising, 33-3-502
Affidavits required when, 33-3-402
Agency contracts, 33-3-309

INSURERS, DOMESTIC STOCK AND MUTUAL (Continued)

Agricultural land, holder of foreclosed — disposal, right of immediately preceding owner, 25-13-901 — 25-13-904
Appraisals when, 33-3-215
Articles of incorporation, 33-2-708, 33-3-201 — 33-3-203, 33-3-303
Assets, 33-3-401, 33-3-412, 33-3-415, 33-3-432, 33-3-433, 33-3-435, 33-3-436, 33-3-604
Board of directors, See **Directors, board of**
Bond requirements, 33-3-205, 33-3-307
Branch offices, 33-3-401
Bylaws, 33-2-115, 33-3-301, 33-3-302
Capital, impairment, 33-3-432, 33-3-433, 33-3-435
Certificate of authority, 33-3-204 — 33-3-208
  amendment when, 33-3-432
  ineligibility, effect, 33-3-202
  mutual insurers, failure to qualify, 33-3-208
  revocation or suspension when, 33-3-424, 33-3-502
Certificate of incorporation, 33-3-202, 33-3-205, 33-3-206, 33-3-208
Comprehensive health association, participation in, Title 33, chapter 22, part 15
Consolidation, 33-3-217, 33-3-218
Contingent liability, 33-3-201, 33-3-411 — 33-3-415
Contracts, 33-3-309
Conversions, 33-2-1212, 33-3-215, 33-3-216
Corporate
  charters, extinguishment when, 33-3-104, 33-3-217, 33-3-218
  powers, cessation when, 33-3-208
Corporation statutes, applicability, 33-3-103
Definitions, 33-1-201, 33-3-102, 33-3-441, 33-3-502
Delinquency proceedings, 33-3-104, 33-3-401, 33-3-432, See also **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
Directors, board of, 33-3-301 — 33-3-306
  assessments, levy, 33-3-412, 33-3-433
  constitution, 33-3-201
  deficiency, liability for losses during, 33-3-434
  dividends, illegal — penalty, 33-3-424
  equity securities, statement of ownership, 33-3-441
  insurance, solicitation for applications, 33-3-206
  merger or consolidation of insurer, consideration prohibited, 33-3-217
  pecuniary interest prohibited, 33-3-308
  policies, request for revocation of authority to issue, 33-3-415
  property, control of disposition, 33-3-310
Disbursements, vouchers for, 33-3-402
Discrimination between policyholders within same classification prohibited, 33-3-421, See also **DISCRIMINATION, Insurance; Insurers**
Dissolution, voluntary, 33-3-103, 33-3-601 — 33-3-603
Dividends, 33-3-412, 33-3-422 — 33-3-424
Equity securities, 33-3-441 — 33-3-447, See also **Stock**
Examination of, 33-3-601
Existence, duration, 33-3-201
Expenditures, vouchers for, 33-3-402
Filings
  articles of incorporation, 33-3-202, 33-3-203
  bonds, 33-3-205, 33-3-307
  bylaws, 33-3-301
  contracts, 33-3-309
  deficiencies not made good, proof of, 33-3-432

INSURERS, DOMESTIC STOCK AND MUTUAL (Continued)
Filings (Continued)

- dissolution, voluntary
  - plan, 33-3-601
  - revocation proceedings, 33-3-603
- equity securities, statement of ownership, 33-3-441
- fees, 33-2-708
- loans, statement of purpose and proposed agreement, 33-3-431
- merger or consolidation plans and agreements, 33-3-217, 33-3-218
- trust agreements, 33-3-207

Fines, 33-3-401
Foreign stock corporation, merger or consolidation with, 33-3-217
Formation of mutual insurer, 33-3-205 — 33-3-208, See also **Insurance**
Fraternal benefit societies, conversion into mutual life insurer, 33-7-216
Funds, 33-3-301, 33-3-308
Guaranty association's indebtedness as investment for, 33-10-205
Hearings, 33-3-215 — 33-3-218, 33-3-502, 33-3-601
Impairment of capital or assets, 33-3-432, 33-3-433, 33-3-435
Incorporation, 33-3-201, 33-3-202, 33-3-205, 33-3-206, 33-3-208
Incorporators, 33-3-201, 33-3-202, 33-3-205
Insolvency, 33-3-432, 33-3-601
Insurance

- applications, solicitation, 33-3-205, 33-3-206
- policies, See **Policies**
- policyholders, See **Policyholders**
- premiums, cash, 33-3-206 — 33-3-208, 33-3-604
- solicitation of business in other states, 33-3-502
- transactions, kinds, 33-3-201, 33-3-204

Insurance producers, 33-3-206, See **INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS, AND ADMINISTRATORS**, generally
Liquidation, 33-3-436, 33-3-601, 33-3-602, See also **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
Loans, 31-1-111, 31-1-112, 33-3-431

- homesteads subject to execution for certain judgments, acknowledgment

Management contracts, 33-3-309
Meetings, 33-3-203, 33-3-216, 33-3-218, 33-3-301 — 33-3-303
Members, See **Stockholders or members**
Merger or consolidation, 33-3-217, 33-3-218
Mutual insurer, 33-3-102

- assets, distribution upon dissolution, 33-3-604
- bylaws, 33-3-301
- contingent liability of members, 33-3-201, 33-3-411 — 33-3-415
- failure to qualify, 33-3-208
- formation, 33-3-205 — 33-3-208
- membership in, 33-3-503
- merger or consolidation, 33-3-218
- nonassessable policies, 33-3-414, 33-3-415
- officers' bonds, 33-3-307
- stock insurers, conversion or mutualization, 33-2-1212, 33-3-215, 33-3-216

Name, 33-3-201
Notices

- amendments to articles of incorporation, 33-3-203
- assessments, 33-3-412, 33-3-413, 33-3-433
- bonds, cancellation, 33-3-307
- bylaws
  - disapproval, 33-3-301
  - modification of provisions prohibited, 33-3-302

INSURERS, DOMESTIC STOCK AND MUTUAL (Continued)
Notices (Continued)
- deficiencies, 33-3-432
- meetings, 33-3-203, 33-3-303
- mutual insurer
  - conversion to stock insurer, 33-3-216
  - merger or consolidation, 33-3-218
- proxy, revocation, 33-3-304
- stock insurer, mutualization, 33-3-215

Officers
- bond requirements, 33-3-307
- bylaws, provisions within, 33-3-301
- equity securities, statement of ownership, 33-3-441
- insurance, solicitation for applications, 33-3-206
- meetings, failure to attend, 33-3-303
- merger or consolidation of insurer, consideration prohibited, 33-3-217
- pecuniary interest prohibited, 33-3-308
- reports, 33-3-303

Offices or place of business, 33-3-401

Policies
- cash surrender values, lien on, 33-3-412
- classification, 33-3-421, 33-3-436
- contingent liability, 33-3-201, 33-3-411 — 33-3-415
- dissolution, distribution of assets, 33-3-604
- dividends, 33-3-412, 33-3-422 — 33-3-424
- issuance, 33-3-206, 33-3-207, 33-3-414, 33-3-415, 33-3-421
- nonassessable, 33-3-414, 33-3-415
- nonparticipating or participating, 33-3-421

Policyholders
- directors' election, participation in, 33-3-306
- discrimination within same classification prohibited, 33-3-421
- dissolution, 33-3-601, 33-3-604
- dividends to, 33-3-423
- mutual insurers
  - assets, distribution upon dissolution, 33-3-604
  - conversion to stock insurer, 33-3-216
  - merger or consolidation, 33-3-218
- officials becoming, 33-3-308
- rights and obligations, 33-3-503
- stock insurers
  - merger or consolidation, 33-3-217
  - mutualization, 33-3-215

Professional liability insurers, 33-9-101 — 33-9-105, 33-23-301, 33-23-302, 33-23-311
Property, 33-3-310, 33-3-401
Reciprocal insurers, conversion to, 33-5-202
Records, 33-3-202, 33-3-203, 33-3-401
Rehabilitation or reorganization, 33-3-215, 33-3-601, See also **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
Reinsurance, See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Reinsurance**
Reserves, 33-3-415, 33-3-432
Seal, corporate, 33-3-203
Scope of provisions, 33-3-101
Service of process, See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Service of process**
Solicitation of business in other states, 33-3-502
Stock, 33-3-201, 33-3-215 — 33-3-217, 33-3-435, See also **Equity securities**

INSURERS, DOMESTIC STOCK AND MUTUAL (Continued)

Stockholders or members
  assessment on members, 33-3-412, 33-3-413, 33-3-433
  bylaws, powers, 33-3-301, 33-3-302
  contingent liability, 33-3-201, 33-3-411 — 33-3-415
  directors, election, 33-3-305
  dividends, 33-3-412, 33-3-422 — 33-3-424
  liquidation, share of assets, 33-3-436
  meetings, 33-3-203, 33-3-216, 33-3-218, 33-3-301 — 33-3-303
  mutual insurers
    conversion to stock insurer, 33-3-216
    merger or consolidation, 33-3-218
  proxy, 33-3-203, 33-3-215, 33-3-216, 33-3-301, 33-3-303, 33-3-304
  quorum, 33-3-301, 33-3-303
  stock insurer
    merger or consolidation, 33-3-217
    mutualization, 33-3-215
  transfers of stock, liability, 33-3-435
Stock insurer, 33-3-102
  bylaws, 33-3-302
  merger or consolidation, 33-3-217
  mutualization, 33-3-215
  mutuals, conversion to, 33-2-1212, 33-3-216
Surplus
  borrowed surplus, 33-3-431
  deficiency, 33-3-432, 33-3-433, 33-3-435
  dividends paid from, 33-3-422, 33-3-423
  mutual insurer, conversion to stock insurer, 33-3-216
  requirements, 33-2-109, 33-3-204
  stock insurer, mutualization, 33-3-215
Violations
  dividends, illegal — payment or declaration, 33-3-424
  equity securities, sales when, 33-3-443
  proxies, corrupt practices, 33-3-304
  records or assets, removal or concealment, 33-3-401

INSURERS, FARM MUTUAL
  See also **INSURERS, DOMESTIC STOCK AND MUTUAL; INSURERS ORGANIZATION AND REGULATION GENERALLY**
Actions
  losses, collection, 33-4-415
  member's obligations, collection, 33-4-413
  sue and be sued, power to, 33-4-103
Acknowledgment, declaration of intention to incorporate, 33-4-202
Adjusters, 33-4-411
Annual statements, 33-4-305, 33-4-313, 33-4-314, 33-4-404
Appeals, 33-4-411
Applicability of provisions, 33-4-101
Arbitration, 33-4-302, 33-4-411
Assessment plan insurers, 33-4-412, 33-4-414, 33-4-504
Board of directors, See **Directors, board of**
Bylaws
  adoption or amendment, 33-4-301
  cash premium plan insurers, limitation on amount of assessment, 33-4-504
  contents, 33-4-302
  members, provisions for, 33-4-302, 33-4-303, 33-4-402, 33-4-412

INSURERS, FARM MUTUAL (Continued)
Bylaws (Continued)

- powers, 33-4-103
- reserves, safety fund, and surplus limitations, 33-4-407

Cash premium plans, 33-4-402, 33-4-406, 33-4-504
Certificate of authority, 33-4-203, 33-4-206, 33-4-314, 33-4-408, 33-4-505
Churches, insuring, 33-4-501, 33-4-511
Committee of reference, 33-4-411
Common stock, investment in, 33-4-403
Community houses, insuring, 33-4-501, 33-4-511
Corporate existence, commencement, 33-4-203
Corporate powers, general, 33-4-103
County mutual insurer, 33-4-102, 33-4-201, 33-4-206, 33-4-401, 33-4-505
Definitions, 33-4-102, 33-4-502
Directors, board of

- business conducted by, 33-4-103
- election, 33-4-302, 33-4-309
- initial directors, 33-4-202
  - bylaws, adoption, 33-4-301
- insuring schools, community houses, or churches — validity, 33-4-511
- investments, 33-4-403
- losses, liability for — when, 33-4-413
- management by, 33-4-308
- number, 33-4-202
- officers elected by, 33-4-310
- quorum, 33-4-308
- records, location and inspection, 33-4-316
- term, 33-4-302, 33-4-309
- vacancies, 33-4-302

Discrimination in rates, 33-4-510, See **DISCRIMINATION, Insurance; Insurers**
Dissolution, 33-4-103
Dividends, 33-4-407
Domestic insurer formed as affiliate, investment in common stock of, 33-4-403
Educational purposes, expenditures for, 33-4-313, 33-4-404
Employees, licenses and fees, 33-4-312, 49-3-204
Examinations and costs, 33-4-315, 33-4-316, 33-4-409
Existence, 33-4-202 — 33-4-204
Fees, 33-4-202, 33-4-203, 33-4-409, 33-4-505
Filings

- annual statement, 33-4-313, 33-4-314
- articles of incorporation, 33-4-202 — 33-4-204
- educational purposes, expenditures for — report, 33-4-313, 33-4-404
- fees, 33-4-202, 33-4-203
- forms, application and policy, 33-4-505, 33-4-509
- incorporation, declaration of, 33-4-202

Hail insurers, 33-4-206, 33-4-401
Incorporation

- articles of, 33-4-103, 33-4-202 — 33-4-205
- declaration of intention, 33-4-202
- evidence of, 33-4-205

Incorporators, 33-4-201, 33-4-203
Insurance

- applications for, 33-4-206, 33-4-508, 33-4-509
- power to transact, 33-4-103

Insurance producers, 33-4-103, 33-4-312, 33-4-511, 49-3-204
Insuring powers generally, 33-4-501
Investigations, 33-4-315, 33-4-411

INSURERS, FARM MUTUAL (Continued)

Investments, 33-4-403
Liability risks, insuring and retention of liability, 33-4-501, 33-4-502
Losses, 33-4-302, 33-4-405, 33-4-410 — 33-4-415
Meetings, 33-4-103, 33-4-204, 33-4-302, 33-4-304 — 33-4-306, 33-4-403
Members
  assessments, 33-4-302, 33-4-412, 33-4-504
  bylaws, 33-4-301, 33-4-303
  directors, election, 33-4-309
  liability, 33-4-302, 33-4-402, 33-4-501
  obligations, 33-4-412, 33-4-413
  policies, renewal refused when, 33-4-510
  premiums, collection, 33-4-504
  proxy, 33-4-302, 33-4-307
  qualifications, 33-4-506
  suspension and expulsion, 33-4-302
  voting rights, 33-4-307
  withdrawal, 33-4-507
Membership, 33-4-302, 33-4-506
Montana Insurance Code, applicability, 33-1-102
Name, 33-4-103, 33-4-202, 33-4-203
Noncompliance with provisions, 33-4-505
Notices
  amendment of articles of incorporation, 33-4-204
  cancellation of member's policy, 33-4-507
  certificate of authority, impending expiration, 33-4-505
  losses, 33-4-410
  meetings, 33-4-302, 33-4-306
Officers, 33-4-302
  accounts, 33-4-302
  annual statement, preparation and filing, 33-4-313
  articles of incorporation, amendments signed by, 33-4-204
  bond requirements, 33-4-302, 33-4-311
  business conducted by, 33-4-103
  compensation, 33-4-302
  election, 33-4-310
  insuring schools, community houses, and churches — validity, 33-4-511
  licenses and fees, 33-4-312
  losses, liability, 33-4-413
  records, location and inspection, 33-4-316
  reports, 33-4-302
  term, 33-4-310
Offices, 33-4-202, 33-4-304, 33-4-316
Policies, 33-4-302, 33-4-501, 33-4-507, 33-4-509, 33-4-510
Profits, 33-4-407
Property, 33-4-103
Public buildings, rural — insuring, 33-4-501, 33-4-511
Rates, 33-4-510
Real estate loans, investment in, 33-4-403
Records, 33-4-203, 33-4-302, 33-4-316
Reinsurance, 33-4-502, 33-4-503
Reports, 33-4-302, 33-4-313
Reserves, 33-4-406, 33-4-407
Residential dwellings and personal property, insuring, 33-4-501
Risk, limit of, 33-4-502
Safety fund, 33-4-405, 33-4-407

INSURERS, FARM MUTUAL (Continued)

Schools, insuring, 33-4-501, 33-4-511
Scope of provisions, 33-4-101
Seal, corporate, 33-4-103, 33-4-204, 33-4-302, 33-4-313
State mutual insurer, 33-4-102, 33-4-201, 33-4-206, 33-4-401, 33-4-505
Sue and be sued, power to, 33-4-103
Surplus, 33-4-102, 33-4-206, 33-4-401, 33-4-407, 33-4-408, 33-4-501, 33-4-502
Taxes, 15-31-102, 33-4-409
Violations, 33-4-505

INSURERS ORGANIZATION AND REGULATION GENERALLY
  See also **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
Accounts, examination, 33-1-401, 33-1-402, 33-1-408
Accreditation fee, 33-2-708
Actions
  bad faith actions not allowed when, 33-18-242
  cease and desist orders, violation — recovery of penalty, 33-18-1005
  controlled insurers or policyholders, recovery of damages, 33-2-1515
  deposits, recovery of income from, 33-2-608
  enforcement, institution, 33-18-1005
  holding company systems, merger or acquisition of control — violations of provisions, 33-2-1106
  NAIC, liability arising from information collected by, 33-2-1503
  premium tax for independently procured coverages, collection, 33-2-706
  prohibited practices, to enjoin and restrain, 33-18-1003
  punitive damages allowed when, 27-1-220, 33-18-242
  retaliatory, 33-2-709
  service of process, See **Service of process**
  settlements, unfair — independent cause of action for damages, 33-18-242
  unauthorized insurers, against or by, 33-1-612 — 33-1-616, 33-2-105, 33-2-314
Admission for investment only, 33-2-103
Advertising, false or deceptive — prohibited, 33-18-202, 33-18-203, 33-22-814
Advisory board contracts as inducement, prohibited, 33-18-211
Advisory organizations, See **INSURANCE, Rating or advisory organizations**
Affidavits, 33-1-613, 33-18-401
Affiliation and merger, See **Holding company systems**
Agency company stock as inducement, prohibited, 33-18-211
Alien insurers, See **Foreign or alien insurers**
Annual statements, 33-2-701, 33-2-708, 33-2-1216, 33-2-1517, 33-11-104
  certificate of authority, filing during suspension, 33-2-121
  convention forms, NAIC filing requirements, 33-2-1502
  failure to file, 33-2-701, 33-2-1331
  investment limitations relative to, 33-2-802
Appeals by, See **INSURANCE, COMMISSIONER OF, Appeals**
Arbitration laws, applicability, 27-5-114
Articles of incorporation, 33-2-115, 33-2-708, 33-2-1331
Assets
  allowable, 33-2-501
  deficiency, effect, 33-2-118
  deposit, See **Deposits**
  disposal, conveyance, or encumbrance prohibited when, 33-2-1321
  examination, 33-1-401, 33-1-408
  exclusions, 33-2-502, 33-2-1113
  "general assets" defined, 33-2-1303
  impairment, hearings concerning, 33-1-702
  invested, See **Investments**

INSURERS ORGANIZATION AND REGULATION GENERALLY (Continued)
Assets (Continued)

- liabilities, 33-2-503, 33-2-511, See also **Liabilities**
- permissible, 33-2-501
- reinsurance, credit as asset — when, 33-2-1216
- small business independent liability funds, 33-27-115
- subsidiaries, ownership and management, 33-2-1102
- treatment, 33-2-503
- trusteed, See **Foreign or alien insurers**

Authority
- admission for investment only, 33-2-103
- capital or surplus required, 33-2-109, 33-2-110
- certificate of, See **Certificates of authority**
- deposit requirements, See **Deposits**
- discontinued when, 33-2-112
- guaranty associations, condition of, 33-10-103, 33-10-203
- insuring powers, combinations, 33-2-108
- names, conflict, 33-2-107
- qualification for, generally, 33-2-106
- withheld when, 33-2-112

Bonds, 33-2-501, 33-2-532, 33-2-1105, 33-2-1601, 33-2-1701, See also **Investments**
Boycott prohibited, 33-18-303
Bulk reinsurance, 33-2-1206, 33-2-1211, 33-2-1212, 33-22-922
Bylaws, 33-2-115, 33-2-708, 33-2-1331, 33-15-305
Capital or surplus funds, 33-2-109, 33-2-110, 33-2-307
Captive insurers, 33-2-1501
Cash, 33-2-501, See also **Deposits**
Cease and desist orders, 33-1-318, 33-2-1120, 33-18-1004, 33-18-1005, 33-18-1006
Certificate of redomestication, 33-2-126
Certificates of authority, 33-2-101
- amendment, 33-2-117, 33-2-708
- application, 33-1-401, 33-2-115 — 33-2-117, 33-2-708
- continuation, 33-2-117, 33-2-701, 33-2-708
- eligibility, 33-2-106
- exceptions to requirements, 33-2-102, 33-2-104
- expiration, 33-2-116, 33-2-117
- fees, 33-2-708
- foreign insurers, 33-2-103, 33-2-122, 33-2-126, 33-2-127
- issuance, 33-2-116, 33-2-117, 33-5-502, 33-9-104
- lack of, effect, 33-2-1379
- limitations, 33-2-116, 33-25-213
- refusal, 33-1-408, 33-2-116
- reinstatement, 33-2-117, 33-2-121, 33-2-708
- service of process, designation of person to whom served — filing, 33-1-601
- specification of kinds of insurance, 33-2-116
- state property, as, 33-2-116
- suspension or revocation
  - alien insurers, 33-2-211, 33-2-1379
  - annual statement, failure to file, 33-2-701
  - appeals from, 33-1-711
  - credit life and disability insurers, when, 33-21-113
  - delinquency proceedings or investigations, obstruction or interference, 33-2-1310
  - deposit deficiency, for, 33-2-611
  - domestic stock and mutual insurers, when, 33-3-424, 33-3-502
  - duration of suspension, 33-2-121
  - effect, 33-2-1379
  - examinations, hindrance, 33-1-411

INSURERS ORGANIZATION AND REGULATION GENERALLY (Continued)
Certificates of authority (Continued)
  suspension or revocation (Continued)
    fees, payment during suspension, 33-2-121
    foreign insurers, 33-2-122, 33-2-1379
    grounds, special, 33-1-408, 33-2-119
    guaranty association assessments or plans of operation, nonpayment and noncompliance, 33-10-109, 33-10-228
    hearings, 33-1-411, 33-2-119
    holding company system violations, 33-2-1122
    investments, for failure to dispose of, 33-2-843
    mandatory when, 33-2-118
    notice, 33-1-411, 33-2-118, 33-2-120, 33-2-1122
    premium tax, for nonpayment, 33-2-705
    rating or advisory organization violations, for, 33-16-111, 33-16-112
    records, for destruction of, 33-1-411
    return of certificate upon, 33-2-116
    violations, for, 33-2-119
  termination, 33-2-116, 33-2-117
  title insurers, 33-25-213
  unauthorized insurers, procurement, 33-1-615, See also **Unauthorized insurers**
Claims, See **Losses and claims**; See also **INSURANCE; INSURANCE GUARANTY ASSOCIATION, CASUALTY AND PROPERTY; INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
Coercion prohibited, 33-18-221, 33-18-303
Competition, 33-16-101, See also **Prohibited practices**
Complaints, 33-18-501, 33-18-1001
Conflict of laws, 33-2-1124
Consolidation, See **Holding company systems**
Consumer loan businesses, limitations, 32-5-306
Controlled insurers and controlling producers, 33-2-1501
  annual reports, 33-2-1512, 33-2-1513
  applicability of provisions, 33-2-1516
  audit committee, 33-2-1511
  compliance, 33-2-1516
  disclosure of relationship, 33-2-1514
  minimum standards, 33-2-1509, 33-2-1510
  penalties, 33-2-1515
  rules, 33-2-1517
Corporation law inapplicable, 35-1-114, See also **Incorporation**
Crime Control, Division of — requests for information, 53-9-104
Criminal mischief, purpose to defraud, 45-6-101
Damages
  future, judgment for periodic payments, 25-9-403, 25-9-406
  unfair claim settlements, 27-1-220, 33-18-242
Deceptive practices, See **Prohibited practices**
Defamation of, prohibited, 33-18-302
Definitions, 33-1-201, 33-2-301, 33-2-1101, 33-2-1501, 33-18-222, 33-18-223
Defrauding, damage or destruction of property, 45-6-101
Deposits, 33-2-111, 33-2-601, 33-2-602
  appraisal, 33-2-607
  assets as, when, 33-2-501, 33-2-531, 33-2-603, See also **Foreign or alien insurers**, trusteed assets of alien insurers
  assignment, 33-2-606, 33-2-612
  certificate required when, 33-2-115
  claims secured by, See **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION, Claims**
  conveyance, 33-2-606, 33-2-612

INSURERS ORGANIZATION AND REGULATION GENERALLY (Continued)
Deposits (Continued)

- deficiency, 33-2-611
- depositary or custodian, 33-2-604, 33-2-605
- duration, 33-2-612
- excess, 33-2-609
- exchange, 33-2-608, 33-2-609
- income from, 33-2-608
- inspection, 33-2-608
- levy upon, 33-2-610
- loans as part of, 33-2-531
- records, 33-2-605
- release, 33-2-606, 33-2-609, 33-2-612
- reserves, 33-2-111
- retaliatory, 33-2-602, 33-2-603, 33-2-610, 33-2-612, 33-2-709
- rights of insurer, 33-2-608, 33-2-609
- securities, 33-2-531, 33-2-603, 33-2-604, 33-2-612
- substitutions, 33-2-608, 33-2-609
- trusteed assets, See **Foreign or alien insurers**

Development corporation, membership in, 32-4-208, 32-4-302
Discrimination, See **DISCRIMINATION**, **Credit transactions**; **Financial institutions**; **Insurance**; **Insurers**
Economic development projects, acquisition and financing, Title 17, chapter 5, part 15
Electronic data processing equipment, 33-2-501
Eligibility generally, 33-2-106
Employees, 33-17-103
Equipment, 33-2-501, 33-2-502, 33-2-823
Examination of, 33-1-401, 33-1-402, 33-1-408, 33-2-1115, 33-2-1216, 33-2-1604, 33-2-1708, 33-10-108, 33-10-218, 33-18-1002, 33-18-501
Federal housing administrator
- loans insured by, 32-1-434
- obligations, investment, 33-2-833

Fees, 33-2-708
- certificate of authority
  - application, to accompany, 33-2-115
  - suspension, payment during, 33-2-121
- deposit, 17-2-121, 33-2-708
- foreign or alien insurers, 33-2-126, 33-2-708
- health service corporations, 33-30-204
- overpayment, refund, 33-2-708
- retaliatory, 33-2-709
- service of process, 33-1-603, 33-1-613
- state, preemption, 33-2-707

Filings
- annual statements, 33-2-121, 33-2-701, 33-2-1331
  - convention forms, NAIC requirements, 33-2-1502
- certificate of authority, 33-2-115, 33-2-117, 33-2-708
- controlled insurers, annual report by actuary, 33-2-1512
- fees, enumeration, 33-2-126, 33-2-708
- forms, 33-1-318, 33-1-501, 33-1-502, 33-21-205, 33-22-812, 33-30-301
- holding company systems, 33-2-1104, 33-2-1105, 33-2-1111, 33-2-1112
- independently procured coverages, report, 33-2-706
- life insurers, election for compliance with valuation of reserve liability provisions, 33-2-524
- loans as part of reserve deposits, statement regarding, 33-2-531
- premium reports, 33-2-705
- product liability insurers, reports, 33-2-721
- reinsurance, bulk — agreements, 33-2-1211, 33-2-1212

INSURERS ORGANIZATION AND REGULATION GENERALLY (Continued)
Filings (Continued)
- reserve deposits, loans as part of — statement regarding, 33-2-531
- trusteed assets, 33-2-205, 33-2-207, 33-2-208, 33-2-211

Financial condition
- accounts, examination, 33-1-401, 33-1-402
- annual statements, See **Annual statements**
- assets, See **Assets**
- false statements prohibited, 33-18-302
- hearings, 33-1-702
- holding company systems, 33-2-1111, 33-2-1115
- liabilities, See **Liabilities**
- mergers or acquisition of control, acquiring party, 33-2-1104
- misrepresentation prohibited, 33-18-202, 33-18-302
- reserves, See **Reserves**
- statements, 33-2-115, 33-2-708, 33-2-1216, 33-2-1331, 33-18-205
- unsound, effect, 33-2-119, 33-2-1331, 33-2-1341, 33-2-1517

Fines, 33-1-104, 33-1-317, 33-1-318
- annual statements, falsification or failure to file, 33-2-701
- deposit, 33-2-708
- falsification, 33-18-205, 33-18-401
- holding company system violations, 33-2-1120
- mortuaries, prohibited relations with, 33-18-301
- political contribution violations, 33-18-305
- premium tax, nonpayment, 33-2-705, 33-11-104
- records, destruction, 33-1-411
- retaliatory, 33-2-709
- risk retention groups and purchasing groups, 33-11-104, 33-11-121

Fixtures and furniture, 33-2-502

Foreign or alien insurers, 33-1-201
- admission for investment only, 33-2-103
- annual statement, 33-2-701, 33-2-1502, See also **Annual statements**
  - convention forms, NAIC filing requirements, 33-2-1502
- articles of incorporation, copy required when, 33-2-115, 33-2-127
- authority, 33-2-106, 33-2-118
- canadian insurers, 33-2-215
- charter, corporate — copy required when, 33-2-115
- deposits, 33-2-111, 33-2-115, 33-2-603; Title 33, chapter 2, part 2, See also **Deposits**
- disability policies, issuance requirements, 33-22-203
- domestic insurer, 33-2-126 — 33-2-128
- domestic stock and mutual insurers, applicability of provisions, 33-3-101, 33-3-414, 33-3-503
- domicile, 33-2-126 — 33-2-128, 33-2-709, 33-2-852
- duties and rights, 33-2-122
- examination of, 33-1-401, 33-2-212
- filing fees, 33-2-126, 33-2-708, See also **Fees**
- health care providers or professionals as members, 33-9-102
- impaired, 33-10-215, 33-10-220, See **INSURANCE GUARANTY ASSOCIATION, LIFE AND HEALTH, Impaired insurers**
- investments, 33-2-103, 33-2-852, See also **Investments**
- life insurance, valuation of reserve liabilities, See **Reserves**
- policies, requirements, 33-2-127, 33-15-301, 33-22-203
- professional liability insurers, 33-9-102, 33-9-105
- reciprocal, See **INSURERS, RECIPROCAL**
- reinsurance, 33-2-1201, 33-2-1206, 33-2-1216
- reserve requirements, 33-2-106
- rights and duties, 33-2-122

INSURERS ORGANIZATION AND REGULATION GENERALLY (Continued)
Foreign or alien insurers (Continued)

- risk retention groups, Title 33, chapter 11, part 1
- rules, 33-2-128
- service of process, 33-1-602
- surplus funds required, 33-2-110
- surplus lines coverages placed with, 33-2-306, 33-2-307
- title insurers, See **INSURANCE, TITLE**
- trust account, establishment when, 33-2-1206
- trusteed assets of alien insurer
  - canadian insurers, applicability, 33-2-215
  - deposit requirements, 33-2-111, 33-2-202, 33-2-204, 33-2-213, See also **Deposits**
  - examination, 33-2-212
  - existing trusts, 33-2-203
  - hearings, 33-2-208
  - records, 33-2-210
  - scope of provisions, 33-2-201
  - separateness, 33-2-210
  - title to, 33-2-209
  - trust agreement, 33-2-205 — 33-2-208, 33-2-213
  - trustee, 33-2-209, 33-2-211, 33-2-213, 33-2-214
  - withdrawal, 33-2-213
- variable contracts, 33-20-605

Forfeiture of right to do business, 33-1-318
Forms — filing, approval, or disapproval, 33-1-318, 33-1-501, 33-1-502, 33-2-126 — 33-2-128, 33-21-205, 33-22-602, 33-22-812, 33-30-301
Furniture and fixtures, 33-2-502
Holding company systems

- affiliates, 33-2-1101
  - authorized insurer, registration by — when, 33-2-1111
  - consolidated registration statements, 33-2-1111
  - disclaimer of affiliation, 33-2-1112
  - examination when, 33-2-1115, 33-2-1116
  - transactions with, standards, 33-2-1113, 33-2-1120
- appeals, 33-2-1123
- civil proceedings instituted when, 33-2-1120
- confidentiality of information when, 33-2-1114, 33-2-1116
- conflict with other laws, 33-2-1124
- criminal proceedings instituted when, 33-2-1120
- definitions, 33-2-1101, 33-2-1114
- discovery proceedings, 33-2-1105
- disposal
  - investments in subsidiaries, when, 33-2-1103
  - property or securities acquired under, 33-2-842
- dividends and other distributions, 33-2-1114, 33-2-1125
- examinations, 33-2-1115, 33-2-1116
- hearings, 33-2-1105, 33-2-1120
- injunction, 33-2-1118, 33-2-1119
- judicial review, 33-2-1123
- license of insurer — revocation, suspension, or nonrenewal when, 33-2-1122
- mandamus, writ of, 33-2-1123
- merger or acquisition of control, 33-2-1104 — 33-2-1106, 33-2-1321, 33-2-1331, 33-2-1333
- receivership, property of insurer placed in, 33-2-1121, 33-2-1125
- registration of insurers, 33-2-1111, 33-2-1112, 33-2-1116, 33-2-1120
- reports, 33-2-1517
- restrictions, 33-18-304

INSURERS ORGANIZATION AND REGULATION GENERALLY (Continued)
Holding company systems (Continued)

- rules and orders, 33-2-1104, 33-2-1106, 33-2-1111, 33-2-1112, 33-2-1115, 33-2-1117 — 33-2-1120, 33-2-1123
- securityholders, 33-2-1101, 33-2-1105
- sequestration of voting securities when, 33-2-1119
- service of process, 33-2-1106
- subsidiaries, 33-2-1101
  - authorization, 33-2-1102
  - investments in, authority and restrictions, 33-2-1103, 33-2-1113
- violations, 33-2-1106, 33-2-1112, 33-2-1118, 33-2-1120
- voting security, 33-2-1101, 33-2-1106, 33-2-1119

Incorporation
- admission for investment only, 33-2-103
- articles of, 33-2-115, 33-2-708, 33-2-1331
- authority, See **Authority**
- bylaws, 33-2-115, 33-2-708, 33-2-1331, 33-15-305
- capital or surplus funds, 33-2-109, 33-2-110, 33-2-307
- certificates of authority, See **Certificates of authority**
- corporation law inapplicable, 35-1-114
- deposits, See **Deposits**
- insuring powers, combinations, 33-2-108
- names, conflict, 33-2-107

Information and Privacy Protection Act, Title 33, chapter 19
Injunctions, 33-1-318, 33-2-1118, 33-2-1119, 33-18-1003
Insuring powers, combinations, 33-2-108
Interinsurers, See **INSURERS, RECIPROCAL**
Interlocking ownership, restrictions, 33-18-304
Intimidation prohibited, 33-18-221, 33-18-303
Investigators, private — nonapplicability of provisions, 37-60-105
Investments
- admission of insurer for investment only, 33-2-103
- african development bank obligations, 33-2-817
- appraisal required when, 33-2-830, 33-2-831
- assets, 33-2-501, 33-2-502, 33-2-806, 33-2-843
- authorization, 33-2-805
- bonds
  - corporate, 33-2-818
  - economic development, 17-5-1525
  - federal or canadian government, 33-2-811 — 33-2-813
  - health facility authority bonds, 90-7-113
  - improvement district, 33-2-814
  - irrigation district, 33-2-815
  - local government, 17-5-1628, 33-2-812
  - mortgages, secured by, 33-2-830
  - revenue, 33-2-813
- broker-dealer, exclusion as, 30-10-103
- chattel mortgages, 33-2-534, 33-2-831
- collateral loans, 33-2-826
- corporate bonds and debentures, 33-2-818
- definitions applicable to, 33-2-818, 33-2-819, 33-2-822, 33-2-830, 33-2-831
- disposal, time limit and extension, 33-2-841 — 33-2-843, 33-2-1103
- diversification, 33-2-806
- eligibility, 33-2-802
- equipment trust certificates, 33-2-823
- farm mutual insurers, by, 33-4-403
- federal housing administrator obligations, 33-2-833

INSURERS ORGANIZATION AND REGULATION GENERALLY (Continued)
Investments (Continued)

- federal obligations, 33-2-816, 33-2-833
- foreign, 33-2-828, 33-2-852
- government obligations, in, 33-2-811, 33-2-812
- health facility authority bonds, 90-7-113
- health maintenance organizations, applicability of provisions, 33-31-215
- housing authority bonds, 7-15-4505
- improvement district obligations, 33-2-814
- international bank obligations, 33-2-817
- investment trust securities, 33-2-806, 33-2-824
- irrigation district obligations, 33-2-815
- lien as security for, 33-2-831
- limitations, 33-2-802, 33-2-806
- loans
  - authorization, 33-2-805
  - collateral, 33-2-826
  - discrimination, See **DISCRIMINATION, Credit transactions; Financial institutions**
  - guaranteed, 33-2-811
  - mortgage, 33-2-830
  - policy, 33-2-825
- miscellaneous, 33-2-829
- mortgages
  - chattel, 33-2-534, 33-2-831
  - national association, 33-2-816, 33-2-833
  - purchase money, 33-2-830
  - real estate, 33-2-830
- national mortgage association obligations, 33-2-816, 33-2-833
- policy loans, 33-2-825
- prohibited, 33-2-804
- purchase money mortgages, 33-2-830
- qualifications generally, 33-2-803
- real estate, 33-2-830, 33-2-832, 33-2-841
- records, 33-2-829
- revenue bonds, 33-2-813
- savings and loan accounts, 33-2-827
- scope of provisions, 33-2-801
- securities, 33-2-806, 33-2-824, 33-2-828, 33-2-842
- small business independent liability funds, 33-27-115
- small employer health reinsurance carriers, 33-22-1819
- stock
  - common, 33-2-820
  - insurance, 33-2-821
  - limitations, 33-2-806
  - preferred or guaranteed, 33-2-819
  - subsidiaries, in, 33-2-1102, 33-2-1103, 33-2-1113, 33-2-1120, See also **Holding company systems**
  - subsidiaries, of, 33-2-822, 33-2-1103
- supervision of insurer, prohibited during, 33-2-1321
- title insurers, special, 33-2-851, 33-25-211
- trust securities, investment, 33-2-806, 33-2-824
- underwriting prohibited, 33-2-804
- urban renewal bonds, 7-15-4306
- variable contract accounts, 33-20-603

Joint reinsurance or reinsurers, See **INSURANCE, Rating or advisory organizations**

INSURERS ORGANIZATION AND REGULATION GENERALLY (Continued)

Joint underwriting associations, See **INSURANCE, Rating or advisory organizations; INSURANCE, DISABILITY, Extended health insurance for older persons; INSURERS, RECIPROCAL**
Judgments
  damages, future — periodic payments, 25-9-403, 25-9-406
  failure to pay, 25-9-406, 33-2-119, 33-2-1331
  levy upon deposits prohibited, 33-2-610
Jurisdiction of providers of health care benefits, determination
  citation of jurisdiction to determine jurisdiction of providers of health care benefits act, 33-1-1101
  disclosure, 33-1-1114
  examination, 33-1-1113
  how to show jurisdiction, 33-1-1111
  insurance department, authority and jurisdiction, 33-1-1102
  state laws, subject to, 33-1-1112
Language simplification, 33-15-321 — 33-15-329
Lenders, restrictions, 33-18-501
Liabilities, 33-2-1303
  assets, 33-2-503, 33-2-511, See also **Assets**
  reinsurance
    credit as deduction, 33-2-1216
    reduction of liability for, 33-2-1217
  reserve, See **Reserves**
Licenses, See also **INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS, AND ADMINISTRATORS**
  certificate of authority, payment during suspension, 33-2-121
  discrimination in issuance prohibited, 49-3-204
  fees, enumeration, 33-2-708
  retaliatory, 33-2-709
  state, preemption, 33-2-707
  suspension, refusal, or nonrenewal, 33-1-408
Liens
  examination expenses as, 33-1-413, See also **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
  fines, failure to pay — as, 33-1-318
Loans
  assets, as, 33-2-501
  deposits, as part of, 33-2-531, See also **Deposits**
  discrimination, See **DISCRIMINATION, Credit transactions; Financial institutions**
  federal housing administrator, insured by, 32-1-434
  investment, See **Investments**
  supervision of insurer, prohibited during, 33-2-1321
Long-term care facilities, prohibited relations, 33-17-1107
Losses and claims, See also **INSURANCE, Claims and benefits**
  assets, availability for, 33-2-501
  bad faith actions not allowed, 33-18-242
  contesting, 33-18-242
  failure to pay promptly, 33-18-231 — 33-18-235
  investigation, 33-2-104, 33-15-504, 33-18-201
  managing general agents, settlement, 33-2-1602
  product liability insurers, reports regarding claims, 33-2-721
  refusal to pay claims, effect, 33-2-119
  reinsurance intermediary-managers, settlement, 33-2-1705
  reserves for, See **Reserves**
  settlements, unfair, 33-18-201, 33-18-242

INSURERS ORGANIZATION AND REGULATION GENERALLY (Continued)
Losses and claims (Continued)

  unfair practices, 27-1-220, 33-18-201, 33-18-242
  unpaid, amount required for — as liability, 33-2-511
  workers' compensation claims, reserves for, See **Reserves**
Management qualifications and affiliations, 33-2-112, 33-18-304
Managers, 33-1-402
Managing general agents, 33-2-1501
  applicability of provisions, 33-2-1516
  compliance, 33-2-1516
  contract requirements, 33-2-1602, 33-2-1603
  duties of insurer, 33-2-1603
  examination of, 33-2-1604
  license requirements, 33-2-1601
  penalties and liabilities, 33-2-1605
Merger, See **Holding company systems**
Montana Insurance Code, particular provisions prevail, 33-1-103
Mortgages
  claims secured by, See **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION, Claims**
  deposit, security interest as, 33-2-531
  investment, See **Investments**
  property acquired by, valuation, 33-2-534
  purchase money, 33-2-535, 33-2-830, See also **Investments**
Mortuaries, prohibited relationships with, 33-18-301
NAIC, 33-2-1501
  annual statement convention forms, filing, 33-2-1502, 33-2-1503
  confidentiality of information, 33-2-1504
Names, conflict, 33-2-107
Noncompetitive lines of insurance, ratemaking, 33-16-231 — 33-16-236
Obligations, 33-2-1321, 33-2-1331
Officers, 33-17-103
Penalties, 33-1-104, 33-1-317, 33-1-318
  cease and desist orders, violation of, 33-18-1005
  claims, for failure to pay promptly, 33-18-233
  controlled insurers and controlling producers, 33-2-1515
  deposit, 33-2-708
  financial statements, false — filing or publishing, 33-18-205
  investments, failure to dispose of, 33-2-843
  managing general agents, 33-2-1605
  mortuaries, prohibited relationships with, 33-18-301
  orders of commissioner, violation, 33-21-113
  political contributions, 33-18-305
  records or reports, false entries, 33-18-205
  reinsurance intermediaries, 33-2-1709
  retaliatory, 33-2-709
  risk retention groups and purchasing groups, 33-11-104, 33-11-121, 33-11-122
Policies generally, See **INSURANCE**
Political contributions prohibited, 33-18-305
Preferred Provider Agreements Act, 33-22-1701 — 33-22-1707
Preferred rates prohibited, 33-18-207
Premium Finance Company Act, Title 33, chapter 14
Premiums, See also **INSURANCE**
  assets, as — when, 33-2-501
  controlled insurers and controlling producers, standards, 33-2-1509, 33-2-1510
  life insurance, standard valuation of reserve liabilities, See **Reserves**
  liquidation proceedings, recovery of premiums owed, 33-2-1362

INSURERS ORGANIZATION AND REGULATION GENERALLY (Continued)
Premiums (Continued)
- midterm increases prohibited, 33-15-1101, 33-15-1121
- product liability insurers, reports, 33-2-721
- reports, 33-2-705, 33-2-706
- unearned, reserves for, See **Reserves**

Premium tax, 33-2-705
- certificate of authority, payment during suspension, 33-2-121
- comprehensive health association members, offsets, 33-22-1513
- disability insurance, limited benefit — nonapplicability, 33-22-1205
- fire department relief associations, payments to, 19-18-512, 19-18-513, 19-18-606
- firefighters' unified retirement system, contribution to, 19-13-604
- fire insurance, 33-2-705
- fire prevention and investigation program, funding, 50-3-109
- health service corporations, exemption, 33-30-203
- independently procured coverages, 33-2-706
- liability, as, 33-2-511
- nonpayment, fine, 33-2-705, 33-11-104
- nonresident agents, on policies issued through, 33-2-710
- offsets, certificates of contribution as, 33-10-230
- police officers' retirement, payments to, 19-9-208, 19-9-702, 19-9-1007, 19-19-305, 19-19-506
- risk retention groups, 33-11-104
- small business independent liability funds, 33-27-118
- surplus lines insurance, 33-2-311 — 33-2-313, 33-2-706
- unauthorized insurers, 33-2-706
- volunteer firefighters' compensation fund, payments to, 19-17-301
- workers' compensation state fund subject to, when, 39-71-2314

Private investigators, nonapplicability of provisions, 37-60-105
Product liability insurers, reports, 33-2-721 — 33-2-723
Prohibited practices
- advertising, false or deceptive, 33-18-202, 33-18-203, 33-22-814
- advisory board contracts as inducement, 33-18-211
- advisory organizations, 33-16-308
- agency company stock as inducement, 33-18-211
- boycott, 33-18-303
- cease and desist orders, 33-18-1004, 33-18-1005
- charges for insurance, improper, 33-18-212
- claim settlements, 27-1-220, 33-18-201, 33-18-242
- coercion, 33-18-303, 33-25-301
- controlled insurers and controlling producers, 33-2-1515
- deceptive practices, 33-18-101, 33-18-102
- defamation of insurer, 33-18-302
- discrimination, 33-15-1101, 33-18-206, 33-18-207, 33-18-209, 33-18-210, 33-18-501, See **DISCRIMINATION, Credit transactions**; **Financial institutions**; **Insurance**; **Insurers**
- examination to determine, 33-18-501, 33-18-1001
- false applications, claims, and proofs of loss, 33-18-401
- financial statements, false — filing or publishing, 33-18-205
- fraternal benefit societies, applicability of laws, 33-7-117, 33-7-533
- glass repair shops, 30-14-225, 33-18-221 — 33-18-223, 33-18-1006
- guaranty association protection, use in sale of insurance, 33-10-210
- health maintenance organizations, applicability of provisions, 33-31-312
- health service corporations, by, 33-30-305
- hearings, 33-18-1003, 33-18-1004
- injunction to restrain, 33-11-104, 33-18-1003, 33-25-402

INSURERS ORGANIZATION AND REGULATION GENERALLY (Continued)
Prohibited practices (Continued)
  insurance producer, adjuster, consultant, and administrator license suspension, revocation, or refusal — grounds for, 33-17-1001
  insurance producers
    false or fraudulent applications, claims, and proofs of loss, 33-18-401
    lenders, favoritism, 33-18-501
    title insurance producers, 33-25-301
  interlocking ownership when, 33-18-304
  intimidation, 33-18-303
  joint underwriters or reinsurers, 33-16-307
  joint underwriting associations, 33-22-814
  lenders, restrictions, 33-18-501
  long-term care facilities, prohibited relations, 33-17-1107
  managing general agents, 33-2-1605
  mortuaries, relationships with, 33-18-301
  name of insurer, deceptive similarity, 33-2-107
  policies
    advertising, false or deceptive, 33-18-202
    cancellation or nonrenewal provisions, noncompliance, 33-15-1121
    misrepresentation, 33-15-1121, 33-18-202, 33-18-204, 33-25-301
    reductions in coverage, 33-15-1121
    twisting, 33-18-204
  political contributions, 33-18-305
  preferred rates to fictitious groups, 33-18-207
  premiums
    illegal dealing in, 33-18-212
    midterm increases, 33-15-1101, 33-15-1121
  purpose of provisions, 33-18-101
  rebates, 33-18-208 — 33-18-210, 33-25-401
  records or reports, false entries, 33-18-205
  reinsurance intermediary-managers, 33-2-1706
  risk retention groups, applicability of provisions, 33-11-104
  small employer health insurance carriers, marketing violations, 33-22-1813
  title insurers and insurance producers and exceptions, 33-25-301, 33-25-401, 33-25-402
  undefined, procedure for determining and restraining, 33-15-1101, 33-18-1003, 33-18-1004
  unfair methods, 33-18-101, 33-18-102
  violations, 33-1-318
  workers' compensation insurers, effect of findings of unreasonableness, 39-71-611, 39-71-612, 39-71-2907
Promoters, examination of, 33-1-402
Property
  assets, as — when, 33-2-501, 33-2-502
  certificate of authority as state property, 33-2-116
  examination of, 33-1-408
  investments in real estate, See **Investments**
  mortgages, See **Mortgages**
  security interest as deposit, 33-2-531
  valuation, 33-2-534
Rates, rating plans, or rating or advisory organizations, See **INSURANCE**
Real estate, See **Investments**; See also **Property**
Rebates prohibited, 33-18-208 — 33-18-210
Records
  complaints, of, 33-18-1001
  deposits, 33-2-605
  destruction, penalty, 33-1-411
  examination, 33-1-401, 33-1-402, 33-1-408, 33-1-409, 33-2-1216

INSURERS ORGANIZATION AND REGULATION GENERALLY (Continued)
Records (Continued)

- false entries, 33-18-205
- investments, miscellaneous, 33-2-829
- managing general agents, 33-2-1602, 33-2-1603
- reinsurance intermediaries, 33-2-1702, 33-2-1705
- trusteed assets, 33-2-210

Reinsurance, See also **INSURANCE, Rating or advisory organizations**

- alien insurers, 33-2-1201, 33-2-1206, 33-2-1216
- assets, as, 33-2-501, 33-2-1216
- bulk reinsurance, 33-2-1206, 33-2-1211, 33-2-1212, 33-22-922
- certificate of authority, 33-2-102, 33-2-119
- comprehensive health association, 33-22-1503
- consent for, lack of — effect, 33-2-1331
- controlling producers, negotiation, 33-2-1510
- credit allowed domestic ceding insurer, 33-2-1216, 33-2-1218
- definitions, 33-2-1201, 33-2-1501
- deposits, 33-2-612
- farm mutual insurers, 33-4-503
- foreign insurers, 33-2-1206
- fraternal benefit societies, 33-7-214
- guaranty associations, 33-10-219, 33-10-220
- health maintenance organizations, 33-31-201
- holding company systems, registration of insurers — information concerning, 33-2-1111
- impaired insurer's policies, See **INSURANCE GUARANTY ASSOCIATION, LIFE AND HEALTH**
- interest in, original insured, 33-2-1207
- intermediary-brokers or intermediary-managers, 33-2-1501
    - applicability of provisions, 33-2-1516
    - books and records, 33-2-1703, 33-2-1705
    - compliance, 33-2-1516
    - contract requirements, 33-2-1702, 33-2-1705, 33-2-1707
    - duties of insurers utilizing services, 33-2-1704
    - duties of reinsurers utilizing services, 33-2-1707
    - examination of, 33-2-1708
    - license requirements, 33-2-1701, 33-2-1704, 33-2-1707, 33-2-1709
    - penalties and liabilities, 33-2-1709
    - prohibited acts, 33-2-1706
- liability, reduction for, 33-2-1217, 33-2-1218
- life and health agreements, regulation, 33-2-1517
- managing general agents, authority, 33-2-1602, 33-2-1603
- policies, language simplification — nonapplicability, 33-15-336
- property and securities acquired under, disposal, 33-2-842
- reciprocal insurers, 33-5-501
- rehabilitation, for, 33-2-1333
- risk, limit of — amount of retention, 33-2-1201
- service of process, exemption from unauthorized insurer provisions, 33-1-614
- small employer health insurance program, 33-22-1802, 33-22-1803, 33-22-1811, 33-22-1818, 33-22-1819
- supervision of insurer, contracts during — prohibited, 33-2-1321
- surplus lines insurance provisions, nonapplicability, 33-2-317

Reports, 33-2-1517

- annual statements, See **Annual statements**
- false entries, 33-18-205
- independently procured coverages, 33-2-706
- premiums and other considerations, 33-2-705
- product liability insurers, 33-2-721 — 33-2-723

INSURERS ORGANIZATION AND REGULATION GENERALLY (Continued)
Reports (Continued)

- prohibited practices, report of charges regarding, 33-18-1003

Reserves
- controlled insurers, 33-2-1510 — 33-2-1512
- deposit, See **Deposits**
- disability insurance, 33-2-514
- foreign insurers, requirements, 33-2-106
- inadequate, 33-2-516
- increase required when, 33-2-516
- liability, as, 33-2-511
- liability insurance, 33-2-515
- life insurance, standard valuation of reserve liabilities, 33-2-521
  - contracts, 33-20-213 operative date, 33-2-522 — 33-2-524
  - deposit requirements, 33-2-531
  - interest rates, 33-2-527 — 33-2-529
  - limits, 33-2-526
  - methods of valuation, 33-2-525, 33-2-526
  - minimum reserves, 33-2-526
  - options, 33-2-526
- managing general agent, establishment, 33-2-1603
- product liability insurers, 33-2-721
- reciprocal insurers, 33-5-403
- reinsurance intermediary-managers, establishment, 33-2-1707
- title insurance, 33-2-512, 33-2-517
- undeterminable, rules for, 33-2-536
- unearned premium, 33-2-512, 33-2-513, 33-2-517
- workers' compensation, 33-2-515

Restraining orders, 33-18-1003
Retaliatory fees, taxes, and other obligations, 33-2-709, See also **Deposits**
Risk, limit of, See **Reinsurance**
Risk retention groups, See **INSURANCE, CASUALTY**
Securities
- assets, as, 33-2-501
- deposit, See **Deposits**
- foreign, investment in, 33-2-828
- holding company systems, See **Holding company systems**
- investments, See **Investments**
- registration, exemption, 30-10-104
- sequestration of voting securities, 33-2-1119
- subsidiaries, insurer's investment in, 33-2-1103
- valuation, 33-2-532, 33-2-533
- variable contract accounts, transfers among, 33-20-603
- voting, See **Holding company systems**

Sequestration
- insurers, See **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
- voting securities, 33-2-1119, See also **Holding company systems**

Service of process
- affidavit, 33-1-613
- alien insurers, 33-1-602
- attorney for, 33-1-601, 33-1-612, 33-2-115
- combination policies, insurers issuing, 33-15-307
- copy, forwarding, 33-1-603
- domestic insurers, 33-1-602
- exclusion from rules of civil procedure, Title 25, chapter 20, M.R.Civ.P., Rule 4D
- foreign insurers, 33-1-602
- holding company systems, 33-2-1106

INSURERS ORGANIZATION AND REGULATION GENERALLY (Continued)
Service of process (Continued)
    joint underwriting associations, 33-22-804, 33-22-805
    pleading, time for, 33-1-603
    reciprocal insurers, 33-1-602, 33-5-301
    reinsurance
        ceding insurer, 33-2-1216
        intermediaries, 33-2-1701
    serving, 33-1-603
    surplus lines insurers, 33-2-315
    unauthorized insurers, 33-1-611 — 33-1-616, 33-2-104
Small employer health insurance, Title 33, chapter 22, part 18
Stock
    assets, 33-2-501, 33-2-502
    capital, chargeable as liability, 33-2-511
    investments, See **Investments**
    subsidiaries, insurer's investment in, 33-2-1103
    valuation, 33-2-533
Subsidiaries, See **Holding company systems**
Surplus funds, requirements, 33-2-109, 33-2-110, 33-2-307, 33-2-1216
Taxation, 15-24-601, 15-24-602, 33-2-707
    premium tax, See **Premium tax**
    retaliatory, 33-2-709
Trade practices, regulation, See **Prohibited practices**
Transactions
    alien insurers, state of entry for, See **Foreign or alien insurers**, trusteed assets of alien insurers
    combinations of kinds of insurance, 33-2-108
    examination, 33-1-401, 33-1-402
Twisting prohibited, 33-18-204
Unauthorized insurers, 33-1-201, 33-2-301, 33-19-104
    affiliation with, effect, 33-2-119
    aiding, prohibited, 33-2-104
    citation of unauthorized insurers process act, 33-1-611
    premium reports and tax, 33-2-706
    representing, prohibited, 33-2-104
    service of process, 33-1-611 — 33-1-616, 33-2-104
    suits by, prohibited when, 33-2-105
    surplus lines procured from, See **INSURANCE, SURPLUS LINES**
Underwriters, See **INSURANCE, Rating or advisory organizations; INSURERS, RECIPROCAL**
Unfair trade practices, See **Prohibited practices**
Unpaid losses and claims, See **Losses and claims**
Valuations
    bonds, 33-2-532
    life insurance, See **Reserves**
    property, 33-2-534
    purchase money mortgages, 33-2-535
    securities, other, 33-2-532, 33-2-533
    standard valuation of reserve liabilities law — life insurance, 33-2-521 — 33-2-529
Variable Contract Law, Title 33, chapter 20, part 6
Vending machines, 33-2-708, 33-17-221
Violations
    cease and desist orders, 33-1-318, 33-18-1005, 33-18-1006
    certificate of authority revoked or suspended for, 33-2-119, 33-2-1122, 33-21-113
    claims, failure to pay promptly, 33-18-233
    examination reports, revealed by, 33-1-409

INSURERS ORGANIZATION AND REGULATION GENERALLY (Continued)
Violations (Continued)

- financial statements, reports, or records — false statements or entries, 33-18-205
- fines, See **Fines**
- holding company systems
  - criminal or civil proceedings and penalties, 33-2-1120
  - mergers or acquisition of control, failure to file materials or lack of approval, 33-2-1106
  - registration statements, failure to file, 33-2-1112
- injunctions, 33-1-318
- investigation, 33-1-303, 33-1-311
- mortuaries, relationships with, 33-18-301
- penalties, See **Penalties**
- policies, cancellation to avoid, 33-15-1103
- political contributions, 33-18-305
- risk retention groups and purchasing groups, 33-11-122
- unauthorized insurers, aiding or representing, 33-2-104
- willful, effect, 33-2-1331
- witnesses — failure to appear and testify, produce evidence, or false information, 33-1-315

Volatile lines of insurance, ratemaking, 33-16-231 — 33-16-236

INSURERS PROCESS ACT, UNAUTHORIZED, 33-1-611 — 33-1-616
See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Service of process**

INSURERS, RECIPROCAL
See also **INSURERS ORGANIZATION AND REGULATION GENERALLY**
Accounts, audits, 33-5-305
Actions
- attorney's bond, on, 33-5-304
- sue and be sued, power to, 33-5-103

Alien or foreign insurers, 33-5-104, 33-5-503
Annual statement, 33-2-701, 33-5-413
Assessments, 33-5-403, 33-5-406, 33-5-407, 33-5-412
Assets, 33-5-201, 33-5-403, 33-5-411, 33-5-412
Attorney-in-fact, 33-5-104
- annual statement, 33-2-701, 33-5-413
- assessments, levy, 33-5-406, 33-5-412
- assets, deficiency, 33-5-412
- audits of accounts and records, 33-5-305
- bond, 33-5-303, 33-5-304
- certificate of authority issued to, 33-5-502
- contingent liability, application for extinguishment, 33-5-409
- contributions to insurer, 33-5-402
- declaration, filing and acknowledgment, 33-5-201
- deficiencies, making up, 33-5-412
- designation and appointment, 33-5-201
- managing general agent, nonapplicability, 33-2-1501
- noncompliance with provisions, 33-5-502
- not doing business, 33-5-104
- power of attorney
  - copy required when, 33-2-115, 33-5-201
  - existing insurers, compliance, 33-5-101
  - liability provisions, contained in, 33-5-404, 33-5-408
  - policy provisions, contained in, 33-15-305
  - terms and agreements, 33-5-301, 33-5-302
- rights and powers, 33-5-301
- service of process, 33-1-602, 33-5-301
- subscribers operating through, 33-5-102

INSURERS, RECIPROCAL (Continued)

Audits, 33-5-305
Certificate of authority, 33-5-201, 33-5-409, 33-5-502
Conservators, 33-5-407
Contributions to, 33-5-402, 33-5-411
Conversion or merger, 33-5-202
Definitions, 33-5-102, 33-5-104
Discrimination in distribution of savings, 33-5-410, See **DISCRIMINATION, Insurance; Insurers**
Existing insurers, 33-5-101
Filings, 33-5-201, 33-5-303, 33-5-413
Finances, supervision, 33-5-305
Financial condition, 33-5-201, 33-5-403
Foreign or alien insurers, 33-5-104, 33-5-503
Formation, 33-5-201, 33-5-202
Impairment, 33-5-412
Insolvency, 33-5-412
Insuring powers, 33-2-108, 33-5-501
Judgments, 33-5-405
Liabilities, 33-5-403
Life insurance, transaction prohibited, 33-2-108, 33-5-501
Liquidation, 33-5-402, 33-5-406, 33-5-411, 33-5-412
Liquidators, 33-5-304, 33-5-407
Merger or conversion, 33-5-202
Name, 33-5-103
Offices, location, 33-5-201
Organization, 33-5-201
Policies, 33-5-101, 33-5-201, 33-5-404, 33-5-409
Power of attorney, See **Attorney-in-fact**
Premium tax, See **INSURERS ORGANIZATION AND REGULATION GENERALLY**
Rates, filing and approval, 33-5-201
Rating organizations for workers' compensation, applicability of provisions when, 33-16-1003
Receivers, 33-5-304, 33-5-407
Records, audit, 33-5-305
Rehabilitators, 33-5-407
Reinsurance, 33-5-501
Representatives, liability, 33-5-503
Reserves, computation, 33-5-403
Savings, distribution, 33-5-410
Scope of provisions, 33-5-101
Service of process, 33-1-602, 33-5-301
Subscribers
  assessments, 33-5-403, 33-5-406, 33-5-407, 33-5-412
  assets, 33-5-411, 33-5-412
  attorney, 33-5-301, 33-5-304
  contingent liability, 33-5-301, 33-5-403, 33-5-404, 33-5-409
  deficiencies, 33-5-406, 33-5-412
  eligible, 33-5-503
  judgments against insurer, binding when, 33-5-405
  liability, 33-5-404 — 33-5-408, 33-5-503
  merger or conversion of insurer, 33-5-202
  offsets against assessments not allowed, 33-5-406
  representatives, liability, 33-5-503
  savings, distribution, 33-5-410

INSURERS, RECIPROCAL (Continued)

Subscribers' advisory committee, 33-5-201, 33-5-301, 33-5-302, 33-5-305, 33-5-406, 33-5-409
Subscribers' agreement, 33-2-115, 33-5-101, 33-5-201, 33-5-302, 33-5-305, 33-15-305
Sue and be sued, power to, 33-5-103
Surplus funds, 33-2-109, 33-2-110, 33-5-201, 33-5-202, 33-5-401, 33-5-402, 33-5-409
Title insurance, transaction prohibited, 33-5-501
Workers' compensation rating organizations, applicability of provisions when, 33-16-1003

INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION
Actions
- domiciliary liquidator, rights of, 33-2-1381
- insurance, commissioner of — rights, 33-2-1381
- insurer's net worth, recovery of reduction or loss, 33-2-1321
- liquidation order
  - appeal pendency plan, preferences in — effect, 33-2-1342
  - effect on, 33-2-1348
  - petitions for, to defend against, 33-2-1336
- liquidator
  - indemnification and settlement, 33-2-1392 — 33-2-1394
  - intervention when, 33-2-1348
  - rights of, 33-2-1342, 33-2-1345
- litigation, pending and potential — effect on, 33-2-1334, 33-2-1348
- premiums owed, recovery, 33-2-1362
- prevention when, 33-2-1309
- receivers, brought by, 33-2-1306, 33-2-1515
- rehabilitation, for, 33-2-1333
- rehabilitator, indemnification and settlement, 33-2-1392 — 33-2-1394
- review, 33-2-1321
- stay of proceedings, 33-2-1307, 33-2-1334
- venue, 33-2-1308
- who may bring, 33-2-1305

Affidavits, 33-2-1365
Ancillary proceedings, 33-2-1382 — 33-2-1385, 33-10-111
Ancillary receivers
- appointment, 33-2-1379, 33-2-1382
- assets, failure to transfer, 33-2-1388
- claims, 33-2-1381, 33-2-1384, 33-2-1385
- domiciliary liquidator, 33-2-1380, 33-2-1382
- guaranty association, Title 33, chapter 10, part 2
- liquidator, powers as, 33-2-1382
- powers, 33-2-1382

Ancillary receivership, petition for, 33-2-1381
Appeals, 33-2-1342, 33-2-1362
Applicability of provisions, 33-2-1304
Assessments against members of insurer, 33-2-1360
Assets
- additional, discovery, 33-2-1376
- administration costs, payment from, 33-2-1311
- ancillary receiver, 33-2-1382, 33-2-1388
- delinquency proceedings, release from — condition, 33-2-1391
- deposits, transfer, 33-2-612
- disposal, conveyance, or encumbrance prohibited when, 33-2-1321
- distribution, 33-2-1342, 33-2-1346, 33-2-1350, 33-2-1363, 33-2-1373, 33-2-1387, 33-3-436
- domiciliary liquidator, 33-2-1363, 33-2-1381
- general assets, 33-2-1303

INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION (Continued)
Assets (Continued)
  indemnification expenses from, 33-2-1393
  liquidation, 33-2-1345, 33-2-1350, 33-2-1379, 33-2-1380
  liquidator, administration, 33-2-1342, 33-2-1345
  listing and collection, 33-2-1350
  rehabilitation expenses, payment from, 33-2-1333
  rehabilitator, administration, 33-2-1332
  trusteed, transfer, 33-2-213
  waste prevented, 33-2-1309
Assignments, 33-2-1345, 33-2-1358
Attachment of property, 33-2-1309, 33-2-1345, 33-2-1353, 33-2-1386
Attorneys
  fees, 33-2-1371, 33-2-1375
  liability, personal, 33-2-1357
  services to insurer, transactions to pay for, 33-2-1356
Bonds
  commissioner and deputies, additional when, 33-2-1311
  liability of surety, 33-2-1354
  liens dissolved by, 33-2-1353
Breach of contract, 33-2-1322, 33-2-1332, 33-2-1333
Citation of Insurers Supervision, Rehabilitation, and Liquidation Act, 33-2-1301
Claims
  actions pertaining to, 33-2-1348
  ancillary receiver, filed with, 33-2-1381, 33-2-1384, 33-2-1385
  appeal pendency plans, 33-2-1342
  assessment necessary to pay, 33-2-1360
  claimants, 33-2-1346, 33-2-1368, 33-2-1384
  counterclaims, 33-2-1359
  coverage, See **Guaranty associations**; See also generally **INSURANCE GUARANTY ASSOCIATION, CASUALTY AND PROPERTY; INSURANCE GUARANTY ASSOCIATION, LIFE AND HEALTH**
  creditors, See **Creditors**
  disputed, 33-2-1368
  distribution, order of and priority, 33-2-1371, 33-2-1384, 33-2-1385, 33-2-1387
  domiciliary liquidator, filed with, 33-2-1381, 33-2-1384, 33-2-1385
  filing, 33-2-1346, 33-2-1358, 33-2-1364, 33-2-1367
  holders of void or voidable rights, of, 33-2-1358
  insureds or claimants against insureds, of, 33-2-1367
  interstate priorities, 33-2-1387
  liquidator, 33-2-1345, 33-2-1372, 33-2-1381, 33-2-1385
  nonresidents against insurer domiciled in state, of, 33-2-1384
  not allowed when, 33-2-1358
  outstanding, effect, 33-2-1379
  payment, order for, 33-2-1380
  preferred claim, 33-2-1303
  priorities, 33-2-1371, 33-2-1384, 33-2-1385, 33-2-1387
  proof, 33-2-1364, 33-2-1365, 33-2-1385
  reciprocal state, 33-2-1384, 33-2-1385
  residents against insurers domiciled in reciprocal state, 33-2-1385
  secured claim, 33-2-1303, 33-2-1370, 33-2-1382, 33-2-1387
  secured creditors, 33-2-1363, 33-2-1370
  setoffs, 33-2-1359
  special, 33-2-1366
  special deposit claim, 33-2-1303, 33-2-1382, 33-2-1387
  subordination when, 33-2-1388
  subrogation, 33-2-1369

INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION (Continued)
Claims (Continued)
- sureties, of, 33-2-1369
- third party, 33-2-1367
- unsecured, 33-2-1370
- unsecured creditors, of, 33-2-1387

Conservation
- complaint for, jurisdiction of court, 33-2-1305
- foreign or alien insurers, 33-2-1379
- guaranty associations for, Title 33, chapter 10, parts 1 and 2
- order for, petition, 33-2-1381
- termination, order for, 33-2-1379

Conservators, See also **Liquidators; Receivers; Rehabilitators**
- ancillary receiver, appointment as, 33-2-1379
- appointment, 33-1-318, 33-2-1379
- deposits, transfer to, 33-2-612
- reciprocal insurers, order concerning appointment, 33-5-407
- responsibilities, 33-2-1379
- trusteed assets transferred to, 33-2-213

Conservatorship, suspension of certificate of authority upon, 33-2-119
Construction of provisions, 33-2-1302
Cooperation by officials, 33-2-1310
Counterclaims, 33-2-1359
Court
- ancillary receiver
  - appointment, 33-2-1382
  - claims, recommendation, 33-2-1385
- appeals to, 33-2-1362
- assessments, levy, 33-2-1360
- assets
  - administration, supervision, 33-2-1332
  - disbursement, submission for, 33-2-1350
  - distribution, 33-2-1363, 33-2-1373
  - liquidation, order for, 33-2-1380
- attorney's services, examination for payment transactions, 33-2-1356
- bond requirements of commissioner and deputies, additional, 33-2-1311
- claims
  - allowance, 33-2-1385
  - disputed, hearing for, 33-2-1368
  - liquidator
    - recommendations, 33-2-1367
    - report, 33-2-1372
  - payment, order for, 33-2-1380
- conservator, petition and order for appointment, 33-2-1379
- dissolution, order for, 33-2-1344
- ex parte seizure orders, 33-2-1322
- federal, petition for appointment of receiver, 33-2-1380
- funds, order to transfer, 33-2-1375
- injunctions, 33-2-1309, 33-2-1321, 33-2-1348
- insolvency, judicial declaration, 33-2-1342
- jurisdiction, 33-2-1305, 33-2-1306, 33-2-1354
- lien or security title, order for preservation, 33-2-1353
- liquidation
  - appeal pendency plans, 33-2-1342
  - order, petition for, 33-2-1336, 33-2-1341
  - personnel, approval of compensation for, 33-2-1345
  - reopening, petition for, 33-2-1374, 33-2-1376

INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION (Continued)
Court (Continued)

- liquidator
  - accounting by, 33-2-1342
  - actions against, settlement — approval, 33-2-1394
  - claims, report concerning, 33-2-1372
  - discharge, granting, 33-2-1375
  - substitution for insurer as plaintiff, 33-2-1345
- orders, granting, 33-2-1309
- out-of-state, applications to — for relief, 33-2-1309
- property, judicial sale, 33-2-1352
- receiver's books, audit, 33-2-1378
- records, disposition — recommendation for, 33-2-1377
- rehabilitation
  - hearings, 33-2-1333
  - orders, 33-2-1331, 33-2-1336
- rehabilitator
  - accounting by, 33-2-1332
  - actions against, settlement — approval, 33-2-1394
- restraining orders, granting, 33-2-1309, 33-2-1321
- secured creditors, determination of security held by, 33-2-1370
- seizure orders, 33-2-1322
- stay of proceedings, order for, 33-2-1307
- summary jurisdiction, 33-2-1354
- transfer or obligation, order for preservation, 33-2-1351
- venue, 33-2-1308

Creditors, 33-2-1303
- claims, See **Claims**
- liquidation order, notice, 33-2-1346
- liquidator, agreements with, 33-2-1373
- preferences, 33-2-1353
- rights and liabilities, 33-2-1342, 33-2-1345
- secured creditors, claims, 33-2-1363, 33-2-1370
- set off for further credit, 33-2-1355
- sureties, claims of, 33-2-1369
- transfers, fraudulent when, 33-2-1351
- unsecured creditors, 33-2-1387

Currency, negotiability, 33-2-1352
Definitions, 33-2-1303, 33-2-1310, 33-2-1353, 33-2-1369
Delinquency proceedings, 33-2-1303
- application, 33-2-1304
- commencement, 33-2-119, 33-2-1305, 33-3-401, 33-3-432
- cooperation by officials, 33-2-1310
- deposits, transfer, 33-2-612
- domestic stock and mutual insurers, 33-3-104, 33-3-401, 33-3-432
- interference, prevention, 33-2-1309
- jurisdiction, 33-2-1305, 33-2-1306
- legal process, exemption during pendency, 33-2-1386
- liquidation order, set aside upon appeal — effect, 33-2-1342
- out-of-state, stay pending, 33-2-1307
- petition for, right to resist, 33-2-1310
- procedure exclusive, 33-2-1305
- reinsurers, amount recoverable from, 33-2-1361
- release from, 33-2-1342, 33-2-1391
- venue, 33-2-1308

Depositions, 33-2-1365
Dissolution, 33-2-1305, 33-2-1344

Domiciliary liquidator
  ancillary receiver, 33-2-1382, 33-2-1388
  assets, proposal for distribution, 33-2-1363
  claims, 33-2-1381, 33-2-1384, 33-2-1385
  reciprocal state, in, 33-2-1380, 33-2-1381
Domiciliary state, 33-2-1303, 33-2-1383, 33-2-1387
Estate of insurer
  lien or security title preserved for, 33-2-1353
  liquidation order, petition for — defense costs, 33-2-1336
  liquidator, actions to protect, 33-2-1348
  rehabilitation termination, order for — expenses, 33-2-1336
Execution
  levying, prevention when, 33-2-1309, 33-2-1386
  lien obtained by, 33-2-1353
  liquidator, powers, 33-2-1345
Filings
  ancillary receiver, petition for appointment, 33-2-1382
  claimant's objections for denied claims, 33-2-1368
  conservation orders, 33-2-1379
  liquidation, 33-2-1342, 33-2-1380, See also **Claims**
  liquidators, 33-2-1345, 33-2-1363
  receiver's books, audits, 33-2-1378
  rehabilitation orders, 33-2-1332
  seizure order, petition for, 33-2-1322
Fines, 33-2-1310
Fraternal benefit societies, applicability, 33-2-1304, 33-7-117, 33-7-120
Garnishment, 33-2-1309, 33-2-1345, 33-2-1353, 33-2-1386
Guaranty associations, 33-2-1303, See also **INSURANCE GUARANTY ASSOCIATION, CASUALTY AND PROPERTY; INSURANCE GUARANTY ASSOCIATION, LIFE AND HEALTH**
  assets distributed to, 33-2-1342, 33-2-1363
  claims, 33-2-1364, 33-2-1365
  expenses, 33-2-1371
  liquidation, 33-2-1346, 33-2-1349, 33-2-1391
    appeal pendency plans, 33-2-1342
  policy coverage, continuance, 33-2-1343
  records of insurer, availability, 33-2-1345
  rehabilitation proceedings, standing in, 33-2-1335
Health maintenance organizations, 33-31-403
Hearings
  claims, 33-2-1368, 33-2-1385
  insolvency, for judicial declaration, 33-2-1342
  insurance producers, for noncompliance with notice requirements, 33-2-1347
  insurers, persons in executive authority — concerning, 33-2-1331
  liquidation generally, 33-2-1345
  premiums owed, regarding recovery, 33-2-1362
  rehabilitation, for, 33-2-1333
  seizure orders concerning, 33-2-1322
  supervision, for, 33-2-1321
  violations, concerning, 33-2-1310
  voiding preferences and liens, for, 33-2-1354
  waiver when, 33-2-1321
Indemnification, persons covered, 33-2-1392 — 33-2-1394
Injunctions, 33-2-1309, 33-2-1322
  jurisdiction of court, 33-2-1305

INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION (Continued)
Injunctions (Continued)

- liquidation order, inclusion, 33-2-1348
- supervision orders, enforcement, 33-2-1321

Insolvency, 33-2-1303
- assets, distribution, 33-2-1363
- deposits, right of insurer, 33-2-609
- dissolution of insurer, 33-2-1344
- domestic stock and mutual insurers, 33-3-432
- guaranty associations for, Title 33, chapter 10, parts 1 and 2
- judicial declaration, 33-2-1342
- liquidation, ground for, 33-2-1341
- preferences avoided, 33-2-1353
- premiums, unpaid — payment, 33-2-1362
- reciprocal insurers, 33-5-412

Insurers, 33-2-1303
- attachment, 33-2-1309, 33-2-1345, 33-2-1353, 33-2-1386
- defenses available to, 33-2-1345
- dissolution, 33-2-1344
- domiciled in
    - reciprocal state, residents against, 33-2-1385
    - state, nonresident claims, 33-2-1384
- estate of, See **Estate of insurer**
- execution, See **Execution**
- executive authority, persons in
    - authority, suspension and redelegation, 33-2-1333
    - jurisdiction of court, 33-2-1306
    - liability, personal, 33-2-1357
    - untrustworthy, failure to remove — effect, 33-2-1331
- foreign or alien
    - assets, liquidation, 33-2-1380
    - conservation, 33-2-1379
- garnishment, 33-2-1309, 33-2-1345, 33-2-1353, 33-2-1386
- insurance producers
    - domiciliary liquidator, right to balances, 33-2-1381
    - liquidation order, notice, 33-2-1346
    - policyholders, notice to, 33-2-1347
    - premiums, unpaid — payment, 33-2-1362
- members
    - assessments against, 33-2-1360
    - rights and liabilities, 33-2-1342, 33-2-1345
- policy coverage, continuance, 33-2-1343
- premiums, recovery, 33-2-1362
- restoration of possession of property and control of business, 33-2-1336, 33-2-1379

Interstate
- agreements, 33-2-1302, 33-2-1345
- claims, priorities, 33-2-1387

Investigations, 33-2-1310, 33-2-1372
Judgments against insurer, 33-2-1309, 33-2-1353, 33-2-1360, 33-2-1365
Judicial review, 33-2-1321 — 33-2-1323
Judicial sale of property, 33-2-1352
Jurisdiction, 33-2-1305, 33-2-1306
Legal process, exemption when, 33-2-1386
Liens
- liquidator, power to avoid, 33-2-1345
- obtaining, 33-2-1309, 33-2-1353
- policies, on — when, 33-2-1333

INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION (Continued)
Liens (Continued)

- preference by way of, 33-2-1353
- security for repayment, 33-2-1351
- surrender when, 33-2-1358
- transfers creating, 33-2-1351, 33-2-1352
- voidable when, 33-2-1353
- voiding, procedures, 33-2-1354

Liquidation
- complaint for, jurisdiction of court, 33-2-1305
- domestic stock and mutual insurers, 33-3-436, 33-3-601, 33-3-602
- fraternal benefit societies, 33-2-1304, 33-7-120
- grounds for, 33-2-1341
- guaranty associations for, Title 33, chapter 10, parts 1 and 2
- holding company systems, plans for liquidation, 33-2-1104, 33-2-1105
- merger or acquisition of control, plans or proposals for liquidation, 33-2-1104, 33-2-1105
- orders for, 33-2-1125, 33-2-1310, 33-2-1336, 33-2-1341, 33-2-1342, 33-2-1381, 33-2-1515, 33-2-1602, 33-2-1705, 33-3-601, 33-3-602, 33-31-403
- policy coverage, continuance, 33-2-1343
- proceedings
  - claims, interstate priorities, 33-2-1387
  - constructive notice, commencement as, 33-2-1352
  - delinquency proceedings, conversion, 33-2-1391
  - formal delinquency proceeding, 33-2-1303
  - guaranty associations, standing in, 33-2-1349
  - legal process, exemption during pendency, 33-2-1386
  - litigation, pending and potential — effect, 33-2-1348
  - reciprocal state, claims belonging to claimants in, 33-2-1384
  - termination, 33-2-1375
- reciprocal insurers, See **INSURERS, RECIPROCAL**
- reopening, petition for, 33-2-1374, 33-2-1376

Liquidators, See also **Conservators**; **Receivers**; **Rehabilitators**
- accounting by, 33-2-1342
- ancillary receiver, powers, 33-2-1380, 33-2-1382
- appointment, 33-2-1321, 33-2-1342
- assessments, order for and recommendations, 33-2-1360
- assets
  - administration, 33-2-1342
  - distribution, 33-2-1363, 33-2-1373
  - listing and collection, 33-2-1350
  - trusteed, transferred to, 33-2-213
- attorney's services to insurer, petition for examination of payment transactions, 33-2-1356
- claims
  - claimant's objections, filing, 33-2-1368
  - denied, 33-2-1368
  - disputed, 33-2-1368
  - filed with, 33-2-1346, 33-2-1381, 33-2-1385
  - late filing, 33-2-1364
  - money or property delivered for, 33-2-1358
  - proof, 33-2-1364, 33-2-1365
  - review and recommendations, 33-2-1372
  - third party, filed by, 33-2-1367
- creditors, 33-2-1370, 33-2-1373
- defenses, 33-2-1345
- deposits, transfer, 33-2-612
- discharge, 33-2-1374, 33-2-1375
- dissolution of insurer effected when, 33-2-1344

INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION (Continued)
Liquidators (Continued)
  domiciliary, See **Domiciliary liquidator**
  guaranty association, Title 33, chapter 10, part 1
  indemnification, 33-2-1392 — 33-2-1394
  insurance producers, notice requirements and compliance report, 33-2-1347
  insurer's executive personnel, liability, 33-2-1357
  judgments against members for assessments, 33-2-1360
  lien or title, 33-2-1353, 33-2-1354
  liquidation order, notice requirements, 33-2-1346, 33-2-1347
  litigation, pending and potential — actions concerning, 33-2-1348
  managing general agent violations, reimbursement for losses caused by, 33-2-1605
  policy obligations, transfer, 33-2-1343
  powers generally, 33-2-1345
  preferences, 33-2-1353, 33-2-1354
  premiums, unpaid — collection, 33-2-1362
  property, recovery, 33-2-1353
  reciprocal insurers, 33-5-304, 33-5-407
  reinsurers, amount recoverable from, 33-2-1361
  transfers invalid when, 33-2-1352
  unclaimed and withheld funds, 33-2-1374
  voiding preferences and liens, 33-2-1354
Negotiable instruments, negotiability, 33-2-1352
Notices
  claims, 33-2-1368, 33-2-1384, 33-2-1385
  conservation order, filing as, 33-2-1379
  domiciliary liquidator, of application for approval of proposal to disburse assets, 33-2-1363
  hearings, 33-2-1321, 33-2-1322, 33-2-1331, 33-2-1333, 33-2-1354, 33-2-1362
  liquidation orders
    creditors, to, 33-2-1346
    filings as, 33-2-1342, 33-2-1352, 33-2-1380
    insurance producers, to and by, 33-2-1347
Obligations
  fair consideration, 33-2-1303
  fraudulent when, 33-2-1351
  policy, transfer, 33-2-1345
  setoffs and counterclaims not allowed when, 33-2-1359
Orders, 33-2-1309
  ancillary receiver, appointment, 33-2-1379, 33-2-1382
  assessments, for payment, 33-2-1360
  assets, for liquidation, 33-2-1379, 33-2-1380
  claims, payment, 33-2-1380
  conservation, for, 33-2-1379, 33-2-1381
  conservator, for appointment, 33-2-1379
  damages, quantum — not considered as, 33-2-1365
  dissolution, for, 33-2-1344
  funds, for transfer, 33-2-1375
  judicial review, 33-2-1321, 33-2-1322
  liability, evidence of — not considered as, 33-2-1365
  liquidation, for, 33-2-1125, 33-2-1336, 33-2-1341, 33-2-1342, 33-2-1380, 33-2-1381
    notice requirements, 33-2-1346, 33-2-1347
    reopening, 33-2-1376
  recovery of indemnifying property or avoidance of indemnifying lien, 33-2-1354
  rehabilitation, for, 33-2-1125, 33-2-1331, 33-2-1332
    termination, 33-2-1336
  resist, right to, 33-2-1310

INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION (Continued)
Orders (Continued)
    restoration of possession of property and control of business to insurer, 33-2-1336, 33-2-1379
    restraining orders, 33-2-1305, 33-2-1309, 33-2-1321
    seizure, for, 33-2-1322
    stay of proceedings, 33-2-1307
    supervision, for, 33-2-1321
    transfer or obligation, for preservation, 33-2-1351
    violation, 33-2-1310
Penalties
    delinquency proceedings and investigations, obstruction or interference, 33-2-1310
    insurance producer's failure to give notice or file compliance report, 33-2-1347
    orders, violation, 33-2-1310
    premiums, unpaid — violation of recovery provision, 33-2-1362
    supervision orders, violation, 33-2-1321
Policies
    appeal pendency plans, 33-2-1342
    coverage, continuance, 33-2-1343
    obligations, 33-2-1342, 33-2-1345
    outstanding, effect, 33-2-1379, 33-15-1103
    policyholders
        notice of liquidation order, 33-2-1347
        rights and liabilities, 33-2-1342, 33-2-1345
    premiums owed, recovery, 33-2-1362
Preferences, 33-2-1353
    liquidator, avoided by — when, 33-2-1353
    obtaining, prevention, 33-2-1309
    personal liability, 33-2-1357
    set off for further credit, 33-2-1355
    surrender when, 33-2-1358
    voidable, 33-2-1353, 33-2-1357
    voiding, procedures, 33-2-1354
Premiums owed, recovery, 33-2-1362
Property
    domiciliary liquidator, title to, 33-2-1381
    fair consideration, 33-2-1303
    judicial sale, 33-2-1352
    liquidator, authority, 33-2-1342, 33-2-1345
    seizure when, 33-2-1322
    transfers, See **Transfers**
Purpose of provisions, 33-2-1302
Receivers, 33-2-1303, See also **Conservators**; **Liquidators**; **Rehabilitators**
    actions brought by, 33-2-1306
    ancillary, See **Ancillary receivers**
    appointment, 33-1-318, 33-2-1345, 33-2-1380
    audit of books, 33-2-1378
    deposits, transfer, 33-2-612
    dividends, recovery, 33-2-1125
    fraternal benefit societies, 33-7-120
    fraudulent transfers, obligations, or transactions — avoiding, 33-2-1351
    guaranty association, Title 33, chapter 10, part 1
    injunctions, application for, 33-2-1309
    interference, prevention, 33-2-1309
    liquidator, powers and agreements, 33-2-1345
    orders, application for, 33-2-1309
    reciprocal insurers, 33-5-304, 33-5-407

INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION (Continued)
Receivers (Continued)

- restraining orders, application for, 33-2-1309
- transfers, valid when, 33-2-1352

Receivership
- ancillary, petition for, 33-2-1381
- certificate of authority suspended upon commencement, 33-2-119
- complaint for, jurisdiction of court, 33-2-1305
- fraternal benefit societies, 33-7-120
- health service corporations, 33-30-113
- holding company system's property placed in, when, 33-2-1121
- records, 33-2-1378

Reciprocal state
- ancillary proceedings, allowance of claims, 33-2-1384
- ancillary receivers, rights and powers, 33-2-1382
- claims, 33-2-1384, 33-2-1387
- defined, 33-2-1303
- domiciliary liquidator in, 33-2-1380 — 33-2-1382
- liquidation proceedings, interstate priorities on claims, 33-2-1387

Records
- ancillary receivers, rights and duties, 33-2-1382
- availability, cooperation for, 33-2-1310
- confidentiality when, 33-2-1323
- domiciliary liquidator, 33-2-1381, 33-2-1382
- guaranty associations, availability to, 33-2-1345
- liquidation, disposition during and after, 33-2-1377
- liquidator, authority, 33-2-1342, 33-2-1345
- seizure when, 33-2-1322
- withholding, 33-2-1309, 33-2-1331

Referees, 33-2-1360, 33-2-1368

Rehabilitation
- complaint for, jurisdiction of court, 33-2-1305
- delinquency proceedings, conversion, 33-2-1391
- domestic stock and mutual insurers, following disapproval of dissolution, 33-3-601
- domestic stock insurer, mutualization, 33-3-215
- grounds for, 33-2-1331, 33-3-601
- guaranty associations for, Title 33, chapter 10, parts 1 and 2
- life insurers, 33-2-1333, 33-2-1335
- orders for, 33-2-1125, 33-2-1331, 33-2-1332, 33-2-1515, 33-31-403
- plans for, 33-2-1333
- proceedings, 33-2-1303, 33-2-1333 — 33-2-1335, 33-2-1352
- request for or consent to, 33-2-1331
- termination, order for, 33-2-1336

Rehabilitators, See also **Conservators**; **Liquidators**; **Receivers**
- accounting to court, 33-2-1332
- appointment, 33-2-1321, 33-2-1332
- assets, 33-2-213, 33-2-1332
- deposits, transfer, 33-2-612
- indemnification, 33-2-1392 — 33-2-1394
- litigation, pending and potential — actions concerning, 33-2-1334
- managing general agent violations, reimbursement for losses caused by, 33-2-1605
- powers and duties, 33-2-1333
- reciprocal insurers, order concerning appointment, 33-5-407
- termination of rehabilitation, petition for, 33-2-1336

Reinsurers, 33-2-1306, 33-2-1351, 33-2-1361

Reports, 33-2-1372, 33-2-1378

Restraining orders, 33-2-1305, 33-2-1309, 33-2-1321

INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION (Continued)

Secured creditors, See **Creditors**
Seizure orders, 33-2-1322
Sequestration, 33-2-1305, 33-2-1379
Setoffs, 33-2-1355, 33-2-1359, 33-2-1362
Short title, 33-2-1301
Subpoenas, 33-2-1345
Summary orders, 33-2-1321
Supervision, 33-2-1321, 33-2-1323, 33-31-403
Supervisor, appointment, 33-2-1321
Sureties, 33-2-1353, 33-2-1354, 33-2-1369, 33-2-1393
Transfers, 33-2-1303
  attorney's services, for payment, 33-2-1356
  fraudulent, 33-2-1333, 33-2-1351, 33-2-1352
  liquidator, power to avoid, 33-2-1345
  policy obligations, 33-2-1345
  preferences, 33-2-1353
  prevented when, 33-2-1309
  receivers, avoidance, 33-2-1351
  surrender when, 33-2-1358
Unclaimed and withheld funds, 33-2-1374
Violations, 33-2-1310, 33-2-1321, 33-2-1362
Voidable preferences and liens, 33-2-1353, 33-2-1354
Witnesses, 33-2-1345, 33-2-1365, 33-2-1371

INSURRECTION
  See also **RIOT; EMERGENCIES AND EMERGENCY POWERS**, generally
Cities and towns
  emergency expenditures and liabilities, 7-6-4251
  purchases, exemption from bid requirements, 7-5-4303
Community college districts, "emergency" defined, 20-15-323
Counties
  emergency expenditures and liabilities, 7-6-2341, 7-6-2344
  purchases, exemption from bid requirements, 7-5-2304
County sheriff, duties, 7-32-2121
Courts, change of venue, 3-5-405
Facility siting provisions, waiver, 75-20-304
Firefighters, military duty exemption — nonapplicability, 7-33-2314
Property, involuntary deposit resulting from, 70-6-103
School finance, budget amendment — purpose, 20-9-161
Schools, "emergency" defined, 20-9-802
School trustee meetings, effect on, 20-3-322

INTEGRATED WASTE MANAGEMENT ACT, Title 75, chapter 10, part 8
  See **SOLID WASTE MANAGEMENT**

INTERLOCAL COOPERATION, Const., XI, 7
Agreements
  contents, 7-11-105
  creation, authorization, 7-11-104
  emergency services mutual aid agreements, effect, 10-3-1114
  filing, 7-11-107
  funding, 7-11-108
  hard-rock mining local government facility impact bonds, 90-6-310
  local government financial assistance, audits and reports relating to, Title 2, chapter 7, part 5

INTERLOCAL COOPERATION (Continued)
Agreements (Continued)

- local governments
  - self-government units, powers, 7-1-112
  - study commission recommendations, 7-3-190
- multijurisdictional service districts
  - administration, 7-11-1111
  - enlargement, 7-11-1111
  - establishment, 7-11-1105
  - existing agreements, 7-11-1111
- recommendation for, 7-11-230
- self-insurance reserve fund, for, 2-9-211
- service consolidation or transfer, effect of provisions for, 7-11-301
- transportation services for elderly and handicapped persons, 7-14-111
- youth detention facilities, 41-5-811

Applicability of laws
- emergency services mutual aid agreements, 10-3-1114, See also **EMERGENCIES AND EMERGENCY POWERS, Interstate emergency services mutual aid**
- law enforcement interstate mutual aid agreements, 44-11-312, See also **PEACE OFFICERS, Assistance, mutual**

Authorization, Const., XI, 7
Citation of Interlocal Cooperation Act, 7-11-101
Commission
- appointment of members, 7-11-209
- appropriation for, 7-11-223
- chairman, 7-11-207, 7-11-212, 7-11-227
- compensation of members, 7-11-211
- composition, 7-11-207
- conduct of business, 7-11-213
- defined, 7-11-203
- establishment, 7-11-204
- expenses
  - commission, 7-11-223
  - members, travel, 7-11-211
- funds
  - appropriation of, 7-11-223
  - management, 7-11-222
- information furnished to, 7-11-227
- meetings, 7-11-212, 7-11-213
- number, limitation, 7-11-205
- organization, 7-11-212
- petition for establishment, 7-11-204
- powers and duties, 7-11-221
- qualifications of members, 7-11-208
- quorum, 7-11-213
- resolution for establishment, 7-11-204
- rules, 7-11-213
- services
  - consolidation or transfer, See **Consolidation or transfer of services**
  - program for, preparation, See **Program for services**
- term, 7-11-206
- travel expenses, 7-11-211
- vacancies, 7-11-210
- vote requirements, 7-11-213

Consolidation or transfer of services
- effect of provisions for, 7-11-301
- recommendation for, 7-11-229, 7-11-230, 7-11-302, 7-11-304 — 7-11-307

INTERLOCAL COOPERATION (Continued)
Consolidation or transfer of services (Continued)

  service plan, 7-11-304 — 7-11-306
Contracts, See **Agreements**
County attorneys, contracts for services, 7-4-2707, 7-4-4606
Definitions, 7-11-103, 7-11-203
Detention centers
  private party ownership, policies and programs, 7-32-2234
  services and facilities, contracts for, 7-32-2243
Election to require, Const., XI, 7
Extent of cooperation, Const., XI, 7
Funding
  agreements, 7-11-108
  commission, 7-11-223
  public or private, 7-11-221
Hard-rock mining local government facility impact bonds, agreements for issuance, 90-6-310
Health and safety inspections, 50-8-105
Interlocal Cooperation Act, Title 7, chapter 11, part 1
Law enforcement interstate mutual aid agreements, applicability of laws, 44-11-312, See also **PEACE OFFICERS, Assistance, mutual**
Local governments
  self-government units, powers, 7-1-112
  study commission recommendations, 7-3-190
Motor fuel excise tax, apportionment of revenue, 7-14-303
Multijurisdictional service districts
  administration, 7-11-1106, 7-11-1111
  authority to form, 7-11-1101
  boundary, 7-11-1105, 7-11-1106
  creation, 7-11-1105
  enlargement, 7-11-1111
  existing contracts or agreements, 7-11-1111
  financing, 7-11-1106, 7-11-1112
  governing body, 7-11-1111
  libraries, specific provisions, 7-11-1102, 7-11-1111, 7-11-1112
  notice of ordinance, 7-11-1107
  ordinance or petition for, 7-11-1105
    adoption, 7-11-1107
    requirements, 7-11-1106
    void, when, 7-11-1107
  protests, written, 7-11-1107
  services provided, 7-11-1102
  tax levy, 7-11-1106, 7-11-1112
Planning boards, joint or consolidated — establishment, 76-1-112
Policy of state, 7-11-201
Program for services
  considerations in preparation, 7-11-225, 7-11-226
  hearings and notice, 7-11-228, 7-11-230
  preparation, 7-11-224
  property and indebtedness of units of local government, consideration, 7-11-226
  recommendations, 7-11-229, 7-11-302, 7-11-304 — 7-11-307
    procedure for making, 7-11-230
Property
  acquisition and disposal, 7-11-105
  program for services, affected by — consideration, 7-11-226
Purpose of provisions, 7-11-102, 7-11-202
Rodent control districts, multicounty — establishment, 7-22-2233

INTERLOCAL COOPERATION (Continued)

Safety and health inspections, 50-5-105
Service districts, See **Multijurisdictional service districts**
Short title, 7-11-101
State-tribal cooperative agreements, Title 18, chapter 11, part 1
Youth detention facilities, contracts for, 41-5-811

INTERNATIONAL FUEL TAX AGREEMENT, 15-70-104, 15-70-121, 15-70-122, 15-70-302

INTERNATIONAL RELATIONS
Agricultural marketing, 90-9-401, 90-9-402
Aircraft, licensing — exception, 67-3-201
Airports and landing fields near ports of entry, airport authority powers, 67-11-221
Canada, with, See **CANADA**
Capital companies, utilization of research resources, 90-8-103
Child Custody Jurisdiction Act, Uniform — application, 40-7-124
Child support jurisdiction, order issued by foreign country, 40-5-201
Community college district trustees, agreements, 20-15-225
Criminal identification, state system — cooperation with other agencies, 44-2-206
Flathead Basin Commission, cooperative programs, 75-7-304, 75-7-308
Foreign money-judgments recognition, Title 25, chapter 9, part 6
Insurers, investments — international bank obligations, 33-2-817
Japan, 90-9-401
Law, judicial notice, Title 26, chapter 10, M.R.EV., Rule 202
Motor carrier provisions, 69-12-103
Pacific Northwest economic region, Title 5, chapter 11, part 7
Pacific Rim countries, 90-9-401
Prison-made furniture, sale, 53-1-301
Public contracts, reciprocal bid preference, 18-1-102
Sales
    overseas shipments
        bill of lading required, 30-2-323
        "letter of credit" defined, 30-2-325
    prison-made furniture, 53-1-301
Secured transactions, financing statement — filing not required when, 30-9-302
Securities commissioner, cooperation, 30-10-107
Taxation
    air carriers, assessment, 15-23-401
    domestic international sales corporations (DISC)
        corporation license tax, exemption, 15-31-102
        income tax, individual — adjusted gross income of shareholder, 15-30-111
        water's-edge election, 15-31-322
    fuel tax agreement, 15-70-104, 15-70-121, 15-70-122, 15-70-302
    income tax, individual — wages, exclusion, 15-30-201
    nonprofit corporations, sports or athletic event training facilities — exemption, 15-6-201
Water Policy Committee, duties, 85-2-105
Wills, execution, Title 72, chapter 2, part 9

INTERNATIONAL WILL ACT, UNIFORM, Title 72, chapter 2, part 9
    See **ESTATES AND PROBATE, Wills**

INTERPLEADER
    See **CIVIL PROCEDURE; SMALL CLAIMS COURT, DISTRICT COURT**

INTERSTATE COMPACTS
    See also **INTERSTATE COOPERATION**
Adoption assistance, 52-2-521 — 52-2-528

INTERSTATE COMPACTS (Continued)

Children, placement of, Title 41, chapter 4, part 1, See **MINORS, Interstate Compact on the Placement of Children**
Corrections, Title 46, chapter 19, parts 3 and 4, See **CRIMINAL PROCEDURE, Commitment**
Detainers, Title 46, chapter 31, See **CRIMINAL PROCEDURE, Detainers**
Driver license, Title 61, chapter 5, part 4, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Drivers' licenses**
Educational personnel, interstate agreement on qualification, 20-4-121 — 20-4-123, See **TEACHERS, Interstate Agreement on Qualification of Educational Personnel**
Higher Education Compact, Western Regional, Title 20, chapter 25, part 8, See **HIGHER EDUCATION, Western Regional Higher Education Compact**
Highway Transportation Agreement, Multistate, 61-10-1101
Juveniles, Title 41, chapter 6, See **MINORS, Interstate Compact on Juveniles**
Library, 22-1-601, 22-1-602
Mental health, Title 53, chapter 22, part 1, See **MENTAL ILLNESS OR INCAPACITY**
Mutual aid, 10-3-204, 10-3-205, 10-3-207, 10-3-208, See **EMERGENCIES AND EMERGENCY POWERS**
Natural Resources and Conservation, Department of — authorization to enter, 85-1-223
Nuclear, Title 90, chapter 5, part 2, See **RADIOACTIVE SUBSTANCES, Nuclear Compact, Western Interstate**
Oil and gas conservation, Title 82, chapter 11, part 3, See **OIL AND GAS**
Parolees and probationers, supervision, 46-23-1102, See **PROBATION, PAROLE, AND CLEMENCY, Interstate supervision of probationers and parolees**
Placement of children, Title 41, chapter 4, part 1, See **MINORS, Interstate Compact on the Placement of Children**
Radioactive Waste Management, Northwest Interstate Compact on Low-level, 75-3-501, 75-3-502, See also **RADIOACTIVE SUBSTANCES**
Rules, uniform — filing and publication, 2-4-102, 2-5-103
Tax Compact, Multistate, 15-1-601, See **TAXATION, GENERAL PROVISIONS**
Vehicle equipment safety, Title 61, chapter 2, part 2, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Equipment Safety Compact, Vehicle**
Water compacts, authorization of department of natural resources and conservation to enter, 85-1-223
Western Regional Higher Education Compact, Title 20, chapter 25, part 8, See **HIGHER EDUCATION**
Yellowstone River, 85-20-101, See **YELLOWSTONE RIVER, Compact**

INTERSTATE COOPERATION
See also **INTERSTATE COMPACTS**
Aeronautics regulation, 67-1-102
Agricultural marketing associations, 35-17-410
Air quality, 75-2-112, 75-2-301
Alfalfa seed industry, 80-11-304
Apiaries, agreements concerning, 80-6-201
Child custody jurisdiction, 40-7-102, See **CHILD CUSTODY, Uniform Child Custody Jurisdiction Act**
Child support
  administrative enforcement, 40-5-206, 40-5-263, See also **CHILD SUPPORT, Enforcement**
  income withholding, 40-5-431 — 40-5-434, See also **CHILD SUPPORT, Income withholding**
  interstate enforcement, 40-5-165, See also **CHILD SUPPORT, Enforcement**
Clerks of district courts, 7-5-2143
Commercial feeds, 80-9-104
Communicable diseases, disclosure of health care information when, 50-16-603

INTERSTATE COOPERATION (Continued)

Council of State Governments, authority, 5-11-302
County clerk and recorders, 7-5-2142
County commissioners, boards of, 7-5-2141
Criminal identification and investigation, 44-2-206
Disaster and emergency services, 10-3-101, 10-3-105, 10-3-107, 10-3-202, 10-3-501, 10-3-503
Emergencies, 10-3-101, 10-3-105, 10-3-107, 10-3-202, 10-3-501, 10-3-503, 60-2-213, 90-4-310; Title 10, chapter 3, part 11
Energy emergencies, 90-4-310
Fishing privileges, 87-2-1001 — 87-2-1004
Hazardous waste management, 75-10-419
Health care information, disclosures when, 50-16-603
Highways
  federal-aid interstate system, 60-1-103
  national defense plans, 10-3-107
  transportation, department of — agreements
    fees or taxes, collection, 60-2-311
    emergency maintenance services, 60-2-213
    fees or taxes, collection, 60-2-311
  weights on, analysis of effects, 60-2-207
Historic sites, 23-1-107
Insurers rehabilitation and liquidation, 33-2-1302, 33-2-1345, See **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
Labor and employment, health safeguards, 50-70-105
Law enforcement, See **PEACE OFFICERS**, **Assistance, mutual**
Laws, See also specific uniform act or specific subject matter
  reciprocity with other states, See **FOREIGN LAWS**
  uniform interpretation, Title 1, chapter 12, See **LAW**, **Uniform State Laws, Commission on**
Legislative Council, functions, 5-11-301
Lottery games, 23-7-202, 23-7-402
Medical record information, disclosures when, 50-16-603
Milk control, 81-23-404
Mine reclamation, 82-4-323
Mint Committee, 80-11-403
Motor carrier registration, 69-12-103
Motor vehicles
  oversize permits, agreements for issuance, 61-10-113
  registration, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, **Fleet vehicle registration**
Nuclear regulation, 75-3-102, 75-3-108
Nurseries, disease and insect control, 80-7-132
Oil and gas conservation, 82-11-112
Open-space lands, 76-6-109
Parks, state, 23-1-107
Pesticides, 80-8-110
Planning and economic development, 90-1-103
Produce, 80-3-303, 80-3-312
Property, personal — unclaimed or abandoned, 70-9-121, 70-9-122
Radioactive substances, regulation, 75-3-102, 75-3-108, 75-3-201
Realty Regulation, Board of, 76-4-1205
Recreational areas, 23-1-107
School districts, agreements, Title 20, chapter 9, part 7
Securities commissioner, 30-10-107
Speech-language pathologists and audiologists, 37-15-103

INTERSTATE COOPERATION (Continued)

Taxes, special fuel — information, 15-70-324, 15-70-344, 15-70-351
Unemployment insurance, 39-51-502
Veterinarians, 37-18-104
Uniform Transboundary Pollution Reciprocal Access Act, Title 75, chapter 16, part 1, See **POLLUTION**
WICHE, Title 20, chapter 25, part 8, See **HIGHER EDUCATION, Western Interstate Commission for Higher Education**
Youth correctional facilities, industries programs — goods and services from, 52-5-120, 52-5-121

INTERSTATE EMERGENCY SERVICES MUTUAL AID ACT, Title 10, chapter 3, part 11
  See **EMERGENCIES AND EMERGENCY POWERS, Interstate emergency services mutual aid**

INTERSTATE LAW ENFORCEMENT MUTUAL AID ACT, Title 44, chapter 11, part 3
  See **PEACE OFFICERS, Assistance, mutual**

INTOXICATION
  See **CHEMICAL DEPENDENCY**

INVESTMENT PROGRAM, UNIFIED, Const., VIII, 13; Title 17, chapter 6, part 2
  See **INVESTMENTS, BOARD OF**, generally

INVESTMENTS, BOARD OF
Administration of unified investment program, 17-6-201; Const., VIII, 13
Allocation, 2-15-1808
Appointments to, 2-15-1808
Bonds and bond issues, duties
  cities and towns
    general obligation bonds, 7-7-4267, 7-7-4275
    redemption prior to maturity, 17-6-213
  counties
    general obligation bonds, 7-7-2259, 7-7-2267, 7-7-2275
    redemption prior to maturity, 17-6-213
  economic development, Title 17, chapter 5, part 15
  employment security building, 17-5-609, 17-5-619
  health facility authority, 90-7-320
  municipal finance consolidation, Title 17, chapter 5, part 16
  school district, 17-6-213, 20-9-433, 20-9-435, 20-9-436, 20-9-441
  volume cap, 17-5-1312, 17-5-1325
  workers' compensation, 39-71-2354, 39-71-2355
Coal trust funds, Title 17, chapter 5, part 7; Title 17, chapter 6, part 3
Composition, 2-15-1808
Depositories, 17-2-202, 17-6-101, 17-6-105
Execution, property exempt from, 17-5-1648
Executive director, 2-15-1808
Health Facility Authority, loans to, 90-7-320
Historical Society, acquisitions trust funds, 22-3-114
Housing, Board of — commitment agreements with, 17-6-211
Investment funds, 17-6-201 — 17-6-204; Const., VIII, 13
Investment officer and assistant, 2-15-1808, 2-18-103
Investments by
  agriculture, department of — for, 80-4-721, 80-9-207, 80-11-210, 80-15-302
  alfalfa leaf-cutting bee committee, leaf-cutting bee fund and income from, 80-6-1109
  alfalfa seed assessment money, 80-11-310
  city and town funds, 17-6-204; Const., VIII, 13
  coal severance tax bonds and anticipation notes, 17-5-718

INVESTMENTS, BOARD OF (Continued)
Investments by (Continued)

- county funds, 17-6-204; Const., VIII, 13
- hail insurance, board of — funds, 80-2-222
- highway revenue bonds, 17-5-930
- historical society, acquisitions trust funds — principal, 22-3-114
- in-state, Title 17, chapter 6, part 3
- limitations on, Const., VIII, 13
- livestock, department of — state special revenue funds, 81-1-104
- local government funds, 17-6-204; Const., VIII, 13
- mint account, 80-11-415
- nursery revenue, 80-7-123
- permissible, 17-6-201; Const., VIII, 13
- pesticide management account, 80-8-116
- property owned by board as, repair expenditures, 17-6-201
- rail authority funds, 7-14-1635
- resource development account, 77-1-609
- resource indemnity trust fund, 15-38-202
- restrictions, Const., VIII, 13
- retirement funds, 17-6-201, 17-6-203
  - fire department relief association disability and pension fund, 19-18-403, 19-18-606
  - police officers' retirement funds, 19-19-203
  - public employees' retirement fund, 19-2-503, 19-2-504
  - teachers' retirement fund, 19-20-501
- school district money, 7-6-2701, 7-6-2802, 7-7-2112, 20-9-213
  - state equalization aid account, 20-9-343
- social security contribution account, 19-1-602
- state funds, 17-2-202, 17-6-201
- tax protest fund, 15-1-402
- treasury cash, surplus, 17-6-201
- venture capital companies, in, 17-6-201
- warrants, general fund, 17-6-212
- workers' compensation funds, 39-71-503, 39-71-2320

Land Commissioners, Board of — authority regarding funds, 77-1-202; Const., X, 11
Loans, direct — limitations, 17-6-201
Mortgages, custody and control, 17-6-221
Personnel, 2-15-1808
Pooled investment fund, 17-6-201, 17-6-203, 17-6-204
Preference to
- in-state firms, 17-6-211
- Montana labor, 17-6-325

Prudent expert principle, 17-6-201
Public Employees' Retirement Board, representation, 2-15-1808
Public employees' retirement fund, duties, 19-2-407, 19-2-503, 19-2-504
Public fund deposits, duties, 17-6-101 — 17-6-104
Quasi-judicial, designation as, 2-15-1808
Representation to be broad, 2-15-1808
Repurchase agreements, custody and control, 17-6-221
School trustees, issuance and sale of obligations to board, 20-9-471
Securities generally, duties, 17-1-113, 17-6-201, 17-6-221
Solid waste management systems, failure to pay fee for disposal or incineration — interest rate on reimbursement, 75-10-116
Staff, 2-15-1808, 2-18-103
State cabinsite sales, purchase of contract for deed or mortgage, 17-6-207
Supervision of investments, Const., VIII, 13
Teachers' Retirement Board, representation, 2-15-1808
Treasure state endowment program, loans, 90-6-701

INVESTMENTS, BOARD OF (Continued)

Vacancies, 2-15-1808
Workers' compensation state fund unfunded liability, additional funding, 39-71-2354, 39-71-2505

IRRIGATION
Agricultural practices, sustainable, 20-25-233 — 20-25-236
Beaver, damage by — killing or trapping allowed when, 87-3-501
Clark Fork Dam, priority of use of water for Montana irrigation, 85-1-122
Conduction of water over land of another, 85-2-414; Const., IX, 3
County water and/or sewer district projects, 7-13-2218
Districts, Title 85, chapter 7
Ditch company employees, immunity from liability and indemnification, 27-1-731
Ditches, See also **CANALS, DITCHES, AND FLUMES**, generally
  beavers, removal allowed when, 87-3-501
  city or town regulation, 7-31-4103
  fish screens and wheels, installation when, 87-1-222
  muskrats, removal allowed when, 87-3-501
  open ditch provisions, exemption from, 7-31-4207
  owners and operators, safety duties and nonliabilities, 85-7-2211, 85-7-2212
  stream access law, Title 23, chapter 2, part 3
  weed management, 7-14-2131, 7-22-2101, 7-22-2152
Drainage districts — benefits of construction, assessment for, 85-8-342
Federal projects, sale of state land within, See **STATE LANDS, Sales**
Flood control projects, Title 76, chapter 5, part 11, See **FLOODS, Control projects**
Fort Peck-Montana Compact, 85-20-201
Ground water assessment, purpose, Title 85, chapter 2, part 9
Highways, irrigable land acquired for, 60-4-109
Interpretation of laws, 85-1-103
Land Commissioners, Board of — appropriation of water by, 85-2-304
Mining operations, revegetation projects, 82-4-233
Muskrats, damage by — killing or trapping allowed when, 87-3-501
Navigable waters as public ways, preexisting irrigation rights, 85-1-111
Nonprofit water user entities, exemption from special assessments, 7-12-1151, 7-12-2196, 7-12-4124, 7-12-4345, 7-12-4436, 7-12-4511, 7-12-4621
Overtime compensation exclusions, 39-3-406
Pollution controls, Title 75, chapter 5
Public use, Const., IX, 3
Recreational use of streams, Title 23, chapter 2, part 3
Sprinkler systems, tax exemption, 15-6-206
State projects, authorization, 85-1-204, 85-1-208
Stream access law, Title 23, chapter 2, part 3
Streambed protection, See **RIVERS AND STREAMS**
Tax exemption for facilities, 15-6-206, 15-31-102
Unemployment insurance coverage for laborers, 39-51-205, See **UNEMPLOYMENT INSURANCE, Agricultural labor**
Utility lines, relocation, 69-4-401 — 69-4-404
Water commissioners, See **WATER, Commissioners**
Water conservancy districts to benefit, 85-9-101, 85-9-102
Water conservation projects, Title 76, chapter 5, part 11, See **FLOODS, Control projects**
Water quality districts, water withdrawals within — fee assessment prohibited, 7-13-4523
Water users' associations, 85-6-105
Water works, defined as, 85-1-102
Workers' compensation, See **WORKERS' COMPENSATION, Public employers**
Yellowstone River appropriations, See **YELLOWSTONE RIVER**

IRRIGATION DISTRICTS
Accounts, 85-7-1419, 85-7-1508, 85-7-1913, See also **Records**
Acknowledgments
  consent of owners, 85-7-2204
  contracts for exchange of water, 85-7-1912
  elections, elector's voting authority, 85-7-1710
Acreage and boundaries
  addition of lands to district
    appeals, 85-7-1810
    applicability of laws, 85-7-1833, 85-7-1934
    authorization, 85-7-1801, 85-7-1808, 85-7-1934
    consent of owners, 85-7-1808, 85-7-1934
    creation of district, additions by court at time of, 85-7-107
    effect, 85-7-1801, 85-7-1810
    grounds, 85-7-1808
    hearing on petition, 85-7-404, 85-7-1809, 85-7-1810
    irrigated lands, 85-7-1934, 85-7-1935
    jurisdiction of district court, 85-7-107, 85-7-1808, 85-7-1811
    order on petition, 85-7-1810, 85-7-1811
    percentage of titleholders required, 85-7-1808
    petition, 85-7-1808
    subdistricts, 85-7-404, 85-7-411
    taxes and assessments, effect, 85-7-1935, 85-7-2102
    testimony at hearings, 85-7-1810
    venue, 85-7-1808
  adjudicated streams, acreage requirements for creation of district, 85-7-202
  change in boundaries, authorization and effect, 85-7-1801
  common water supply, districts of — requirements for creation, 85-7-302
  exclusion of lands from district
    appeals, 85-7-1807
    authorization, 85-7-1801, 85-7-1802
    bond or undertaking for costs, 85-7-1803
    costs of proceeding, 85-7-1803
    creation, exclusion by court at time of, 85-7-107
    effect, 85-7-1801
    errors or omissions, 85-7-1804, 85-7-1811
    findings of the court, 85-7-1807
    grounds, 85-7-1802
    hearing on petition, 85-7-1805, 85-7-1806
    judgment, 85-7-1807, 85-7-1811
    jurisdiction of district court, 85-7-107, 85-7-1802, 85-7-1804, 85-7-1811
    mistakes, 85-7-1804, 85-7-1811
    order on petition, 85-7-1807, 85-7-1811
    percentage of titleholders required, 85-7-1802
    petition, 85-7-1802 — 85-7-1804, 85-7-1806
    subdistricts, 85-7-404, 85-7-411
    venue, 85-7-1802
  indebtedness limitations, basis, 85-7-2001
  joint operations, apportionment of cost on acreage basis, 85-7-1617
  subdistricts, 85-7-404, 85-7-411
  taxable acreage, commissioners' determination, 85-7-2107, 85-7-2109, 85-7-2110, 85-7-2112, 85-7-2114, 85-7-2115
    united states involvement, when, 85-7-2113
  taxable acreage, "irrigable land" defined, 85-7-2205

IRRIGATION DISTRICTS (Continued)
Acreage and boundaries (Continued)

- taxable acreage, landowner's request for determination or adjudication
  - appeals, 85-7-1845
  - applicability of laws, 85-7-1841, 85-7-1843, 85-7-2116
  - authorization, 85-7-1801, 85-7-1841
  - bond issues, effect on, 85-7-1841
  - consent of secretary of interior, 85-7-1845
  - costs of proceeding, 85-7-1844
  - decree fixing acreage, 85-7-1844, 85-7-1845
  - effect, 85-7-1801, 85-7-1841, 85-7-1845
  - errors or omissions in decree, 85-7-1811
  - grounds, 85-7-1841
  - hearing on petition, 85-7-1843
  - interest on overpayments and judgment, 85-7-1844
  - judgment, 85-7-1811, 85-7-1844, 85-7-1845
  - jurisdiction of district court, 85-7-1811, 85-7-1842
  - petition, 85-7-1842, 85-7-2116
  - procedure, 85-7-1843
  - prohibited when, 85-7-2116
  - refund of overpayments, 85-7-1844
  - restrictions, 85-7-2116
  - rules of civil procedure, 85-7-1843, 85-7-1845
  - scope of laws, 85-7-1841
  - service of process, 85-7-1843
  - subdistricts, 85-7-411
  - summons, 85-7-1843
  - tax adjustments, 85-7-1844
  - venue, 85-7-1842
  - who may petition, 85-7-1842
- taxable acreage, united states involvement — determination when, 85-7-2113
- taxes and assessments, apportionment basis, See **Taxes and assessments**, lands subject to tax
- united states, indebtedness of district to — exclusion of lands when
  - adjournments of hearings, 85-7-1811, 85-7-1824
  - appeals, 85-7-1825
  - applicability of laws, 85-7-1826
  - authorization, 85-7-1801, 85-7-1821
  - bond or undertaking for costs, 85-7-1822
  - consent of commissioners, 85-7-1822
  - costs, 85-7-1822
  - effect, 85-7-1801, 85-7-1821, 85-7-1825
  - error or omission in order, 85-7-1811
  - grounds, 85-7-1822
  - hearing on petition, 85-7-1823, 85-7-1824
  - judgment, 85-7-1811, 85-7-1825
  - jurisdiction of district court, 85-7-1811, 85-7-1822
  - notice of hearing, 85-7-1823, 85-7-1824
  - order on petition, 85-7-1811, 85-7-1825
  - "owners" defined, 85-7-1826
  - petition, 85-7-1822, 85-7-1824
  - scope of laws, 85-7-1826
  - venue, 85-7-1822
- voting rights, on acreage basis, 85-7-1710, 85-7-1974
- withdrawal of lands to form a separate or consolidated district
  - applicability of laws, 85-7-1833
  - authorization, 85-7-1801, 85-7-1831

IRRIGATION DISTRICTS (Continued)
Acreage and boundaries (Continued)
  withdrawal of lands to form a separate or consolidated... (Continued)
    construction costs, whose obligation, 85-7-1832
    effect, 85-7-1801, 85-7-1831, 85-7-1832
    errors or omissions, 85-7-1811
    grounds, 85-7-1831
    jurisdiction of district court, 85-7-1811, 85-7-1831
    percentage of titleholders required, 85-7-1832
    petition, 85-7-1831, 85-7-1832
    procedure, 85-7-1833
    venue, 85-7-1831
Actions
  bond issues
    court confirmation, 85-7-2016
    misconduct with funds, 85-7-2143
  commissioners
    bonds, suit upon, 85-7-1504, 85-7-1506
    parties, capacity, 85-7-1902, 85-7-2162
  costs, 85-7-2203
  decrees and orders, statute of limitation on actions attacking, 85-7-2201
  dissolution of district, 85-7-1006
  errors to be disregarded, 85-7-2203
  procedure, 85-7-2203
  quiet title, tax sale lands conveyed to district, 85-7-2161
  united states contracts, court confirmation, 85-7-1957
Addition of lands, See **Acreage and boundaries**
Adjudicated streams, districts of
  applicability of laws, 85-7-202, 85-7-207, 85-7-303
  bond issues, 85-7-205
  conflict of laws, 85-7-207, 85-7-303
  creation of district, 85-7-201 — 85-7-203
  dissolution, 85-7-208
  election of trustees, 85-7-204
  indebtedness, 85-7-205
  purpose of provisions, 85-7-201
  tax levy, 85-7-205, 85-7-206
  trustees, 85-7-204, 85-7-205
Administrative expenses, 85-7-2103, 85-7-2104, 85-7-2166
Agricultural land valuation, advisory committee pertaining to — representation, 15-7-222
Alteration, See **Acreage and boundaries**
Annexation of lands, See **Acreage and boundaries**, addition of lands to district
Appeals
  addition of lands, 85-7-1810, 85-7-1811
  bond issues, court confirmation, 85-7-2018
  consolidation, 85-7-2202
  correction of errors in orders and decrees, 85-7-1811
  creation of district, 85-7-108, 85-7-1811
  exclusion of lands, 85-7-1807, 85-7-1811
  procedure, 85-7-2203
  taxable acreage
    commissioners' determination, 85-7-2112, 85-7-2115
    landowner's request for determination or adjudication, 85-7-1845
  united states, indebtedness of district to — exclusion of lands when, 85-7-1825
Apportionment of water
  amount of water, 85-7-305, 85-7-1907, 85-7-1911
  bylaws for, 85-7-1612, 85-7-1902
  common water supply, districts of, 85-7-305

IRRIGATION DISTRICTS (Continued)
Apportionment of water (Continued)

- costs of system, 85-7-1925
- “distribution system” defined, 85-7-1921
- entry on land to facilitate, 85-7-1923
- equipment for, installation, 85-7-1925
- equitable manner, 85-7-305, 85-7-1911, 85-7-1923
- exchange of water, acquired by, 85-7-1912
- interference with system, 85-7-1924
- joint board of control, authority, 85-7-1612
- manner, 85-7-305, 85-7-1911
- maximum amount, 85-7-305, 85-7-1911
- power of commissioners, 85-7-305, 85-7-1902, 85-7-1907, 85-7-1911, 85-7-1922
- rules for, 85-7-1612, 85-7-1902, 85-7-1911, 85-7-1912, 85-7-1931
- shortage of water, 85-7-1911
- sufficient water to be supplied, 85-7-1907
- surplus water, 85-7-1911
- tampering with system, 85-7-1924
- united states, water acquired through contract with, 85-7-1911, 85-7-1912, 85-7-1931

Appropriation of water, 85-7-1904, 85-7-1912, 85-7-1922, 85-7-1924
Architectural services contracts, Title 18, chapter 8, part 2
Assessments, See **Taxes and assessments**
Audits, 85-7-1419, 85-7-1616, 85-7-1913, 85-9-611; Title 2, chapter 7, part 5
Bankruptcy, 85-7-2041
Beaver or muskrat, damages by — killing or trapping allowed when, 87-3-501
Bids

- bonds, sale of, 85-7-2023, 85-7-2033
- construction contracts, 85-7-1941 — 85-7-1943
- tax deed lands, sale of, 85-7-2157, 85-7-2160, 85-7-2162

Board of commissioners, See **Commissioners, board of**
Bond issues, See also **BONDS AND BOND ISSUES**, generally

- acreage determinations, effect, 85-7-1841
- adjudicated streams, issuance by districts of, 85-7-205
- affidavit to accompany petition, 85-7-2013
- applicability of laws, 85-7-1403, 85-7-2001
- assessments for, See **Taxes and assessments**
- bids, 85-7-2023, 85-7-2033
- cancellation, 85-7-1412, 85-7-1603, 85-7-2025, 85-7-2105
- common water supply, issuance by districts with, 85-7-301
- confirmation by district court of validity of issuance proceedings, 85-7-2015 — 85-7-2018
  - subdistricts, 85-7-404
- contract payments, issuance for, 85-7-2024
- definitions, 85-7-1402
- delivery, 85-7-1432, 85-7-2026
- dissolution of district, effect on, 85-7-1001, 85-7-1003, 85-7-1006
- exemption from taxation, 85-7-2011
- form, 85-7-1435, 85-7-2020
- insurers, investment in, 33-2-815
- interest, 17-5-101 — 17-5-104, 85-7-1413 — 85-7-1417, 85-7-1433, 85-7-1435, 85-7-2014, 85-7-2020, 85-7-2023
- investment in bonds, approval required, 7-7-123
- investment of proceeds, 85-7-2027, 85-7-2140
- irrigation, lands already under — no assessment for, 85-7-1935
- issuance, 85-7-1413, 85-7-2012, 85-7-2014
  - contract payments, for, 85-7-2024
  - refunding bonds, 85-7-2012, 85-7-2013, 85-7-2019
  - revenue bonds, 85-7-1413, 85-7-1414

IRRIGATION DISTRICTS (Continued)
Bond issues (Continued)

- jurisdiction of district court, 85-7-2016 — 85-7-2018
- lien of bonds, 85-7-1433, 85-7-2021, 85-7-2112
- maturities, 85-7-1435, 85-7-2014, 85-7-2020
- misconduct in relation to funds, 85-7-2142, 85-7-2143
- negotiability, 85-7-1438
- notes, 85-7-1417
  - sale in anticipation of federal or state revenue, 7-7-109
- payment requirements, 85-7-1413, 85-7-1415 — 85-7-1417, 85-7-1432, 85-7-1433, 85-7-1435, 85-7-2014, 85-7-2020, 85-7-2137, 85-7-2166
- percentage of titleholders required, 85-7-2013
- petition
  - confirmation of validity of proceedings, 85-7-2016
  - issuance, for, 85-7-2013
- preexisting issues, 85-7-110
- private sale, 85-7-2033
- proceeds, 85-7-2026, 85-7-2027, 85-7-2141, 85-7-2166
- purposes for, 85-7-1403, 85-7-2012
- records, 85-7-2020, 85-7-2026
- redemption, 17-5-105, 85-7-1412, 85-7-1603, 85-7-2020, 85-7-2138
- refunding bonds
  - authorization, 85-7-2012, 85-7-2013, 85-7-2019
  - issuance, 85-7-2012, 85-7-2013, 85-7-2019
  - percentage of titleholders required, 85-7-2019
  - petition, 85-7-2013, 85-7-2019
  - series, 85-7-2019
- registration, 85-7-1435, 85-7-2020
- replacement of canceled bonds, 85-7-2025
- reserve fund, 85-7-2133
- reserves, 85-7-1413, 85-7-1416, 85-7-1417, 85-7-1419, 85-7-2012
- resolution for issuance, 85-7-1418, 85-7-1419, 85-7-1431 — 85-7-1433, 85-7-2014
- revenue bonds
  - additional, 85-7-1419
  - authorization, 85-7-1413, 85-7-1418
  - bondholders, 85-7-1415, 85-7-1419, 85-7-1431
  - books of account, 85-7-1419
  - cancellation, 85-7-1412, 85-7-1603
  - citation of irrigation district revenue bond act, 85-7-1401
  - conditions, 85-7-1435
  - contracts for undertakings, 85-7-1411
  - costs, 85-7-1414
  - covenants, 85-7-1419, 85-7-1435
  - date or dates, 85-7-1435
  - definitions, 85-7-1402
  - delivery, 85-7-1432
  - details, 85-7-1435
  - execution, 85-7-1435
  - expenses, 85-7-1414, 85-7-1417
  - form, 85-7-1435
  - interest, 85-7-1413, 85-7-1416, 85-7-1417, 85-7-1433, 85-7-1435
  - interim receipts or certificates, 85-7-1438
  - interpretation of provisions, 85-7-1403
  - issuance
    - authorization, 85-7-1413, 85-7-1418, 85-7-1603, 85-7-1612
    - costs and expenses, determination, 85-7-1414
    - recital, 85-7-1432

IRRIGATION DISTRICTS (Continued)
Bond issues (Continued)
- revenue bonds (Continued)
    - liens, 85-7-1433
    - maturity, 85-7-1435
    - nature of, 85-7-1415
    - negotiability, 85-7-1438
    - payment, 85-7-1413, 85-7-1415 — 85-7-1417, 85-7-1432, 85-7-1433, 85-7-1435
    - powers, 85-7-1403, 85-7-1612
    - principal, 85-7-1433
    - purchasers, interim receipts or certificates, 85-7-1438
    - purpose, 85-7-1403
    - recitals, 85-7-1415, 85-7-1432
    - redemption, 85-7-1412, 85-7-1603
    - registration, 85-7-1435
    - remedies, 85-7-1431
    - reserves, 85-7-1413, 85-7-1416, 85-7-1417, 85-7-1419
    - resolution for issuance, 85-7-1418, 85-7-1419, 85-7-1431 — 85-7-1433, 85-7-1435
    - sale, 85-7-1419, 85-7-1436, 85-7-1437
    - security, 85-7-1433
    - series, 85-7-1433
    - short title, 85-7-1401
    - signatures, 85-7-1432
    - terms, 85-7-1435
    - undertakings, 85-7-1402
        - authorization, 85-7-1411, 85-7-1418, 85-7-1612
        - contracts, 85-7-1411, 85-7-1412
        - disposal, 85-7-1412
        - expenses, 85-7-1414, 85-7-1417
        - fees, 85-7-1416, 85-7-1419
        - insurance, 85-7-1419
        - joint, 85-7-1412, 85-7-1603, 85-7-1612
        - leases, 85-7-1411, 85-7-1612
        - liens, 85-7-1415, 85-7-1417
        - operation and maintenance, 85-7-1411, 85-7-1412, 85-7-1419, 85-7-1612
        - powers, 85-7-1403
        - proceedings relating to, effect on validity of bonds, 85-7-1432
        - receivers, 85-7-1419
        - revenue, 85-7-1413, 85-7-1415 — 85-7-1417, 85-7-1419, 85-7-1433
        - security interest, 85-7-1434
        - self-supporting, to be, 85-7-1416
    - validity, presumption, 85-7-1432
- revolving fund, funding by, 85-7-2157
- sale of bonds
    - advertisement, 85-7-1437, 85-7-2023, 85-7-2033
    - bids, 85-7-2023, 85-7-2033
    - interest, 85-7-2023
    - notice, 17-5-106, 85-7-1437, 85-7-2023
    - private, 85-7-2033
    - quantities, 85-7-2022
    - records, 85-7-2020
    - revenue bonds, 85-7-1419
    - value for sale, 85-7-1436, 85-7-2022
- school bond payment funds, liability, 20-9-445, 20-9-446
- security, 85-7-1433
- series bonds, separate funds, 85-7-2131
- signatures, 85-7-1432, 85-7-2020
- sinking fund for, 85-7-2132, 85-7-2139 — 85-7-2141, 85-7-2157, 85-7-2166

IRRIGATION DISTRICTS (Continued)
Bond issues (Continued)

- subdistricts, 85-7-404
- tax or assessment for, See **Taxes and assessments**
- terms, 85-7-1435, 85-7-2020
- united states
  - contracts with, funding, See **United States, contracts with**, bond issues
  - loan from to liquidate bonded indebtedness, See **United States, contracts with**, loan for liquidation of indebtedness or construction
- validation, Title 17, chapter 5, part 2

Bonds and undertakings
- commissioners, 85-7-1501, 85-7-1504 — 85-7-1506, 85-7-1611
- creation of district, to accompany petition, 85-7-104
- exclusion of lands, to accompany petition, 85-7-1803, 85-7-1822
- joint boards of control, 85-7-1611
- lease of property, bond of lessee, 85-7-1910
- revenue bonds for, See **Bond issues**, revenue bonds
- secretary of district, 85-7-1504
- united states, indebtedness of district to — to accompany petition for exclusion of lands, 85-7-1822

Boundaries, See **Acreage and boundaries**
Bylaws, 85-7-1612, 85-7-1902
City-county consolidation provisions, nonapplicability, 7-3-1101
Coal severance tax bond program, loans from, 85-7-1971, 85-7-1974
Commissioners, board of, See also **WATER, Commissioners**
- acquisition of water, 85-7-1904, 85-7-1907
- appointment, 85-7-107, 85-7-203, 85-7-1501, 85-7-1703
- apportionment of water by, 85-7-305, 85-7-1911, 85-7-1922, 85-7-1925
- appropriation of water, 85-7-1904
- bankruptcy, initiation of proceedings, 85-7-2041
- board, organization, 85-7-1502, 85-7-1702
- bond, 85-7-1501, 85-7-1504 — 85-7-1506
- bond issues by, 85-7-2012 — 85-7-2027, 85-7-2033; Title 85, chapter 7, part 14
- bylaws, 85-7-1902
- compensation, 85-7-1502, 85-7-1505, 85-7-1508
- conflict of interest, 85-7-1507
- construction plan, formulation and implementation, 85-7-1901, 85-7-1907, 85-7-1909
- contracts
  - letting, 85-7-1902, 85-7-1941, 85-7-1942
  - state
    - assessments, 85-7-1972
    - authority and purpose, 85-7-1971
    - court approval, 85-7-1975
    - petition, 85-7-1974
    - sinking fund, 85-7-1971
- corporate authority, 85-7-1902
- dams and reservoirs, construction and maintenance by, 85-7-1907
- debenture certificates, sale or negotiation by, 85-7-2153
- dissolution, petition signed by, 85-7-1002
- distribution of water, authority, 85-7-305, 85-7-1911, 85-7-1922, 85-7-1925
- election, 85-7-1702, See also **Elections**
- employees, 85-7-1502, 85-7-1902
- entry on land, 85-7-1903, 85-7-1923
- exchange of water by, 85-7-1912
- exclusion of lands when indebtedness to united states, consent to petition, 85-7-1822
- expenses, 85-7-1505

IRRIGATION DISTRICTS (Continued)
Commissioners, board of (Continued)

- funds of district
  - distribution, authorization, 85-7-2133, 85-7-2157, 85-7-2201
  - investment by, 85-7-1951, 85-7-1971, 85-7-2027, 85-7-2133, 85-7-2140
  - misconduct in relation to, 85-7-2142, 85-7-2143
  - transfers by, 85-7-2139
- indebtedness of district
  - contracts for liquidation, 85-7-1971
  - exclusion of lands when indebtedness to united states, consent to petition, 85-7-1822
  - incurrence by, 85-7-2001
  - limitation by, 85-7-2001
  - subdistricts, 85-7-404
- interference with unlawful, 85-7-1924
- investments by, 85-7-1951, 85-7-1971, 85-7-2027, 85-7-2133, 85-7-2140
- joint board of control, 85-7-1611, See **Joint Board of Control**
- joint operation, decision for, 85-7-1601, 85-7-1602, 85-7-1905
- judgments, application for correction, 85-7-1811
- liability of officers, 85-7-1506
- management of district, 85-7-1902, 85-7-1905
- meetings, 85-7-1503, 85-7-1902, 85-7-1913
- offices, 85-7-1502
- orders, application for correction, 85-7-1811
- organization as board, 85-7-1502, 85-7-1702
- parties to action, capacity, 85-7-1902
- powers and duties generally, 85-7-1902
- preexisting districts, commissioners to pay owners of lands not included in new district, 85-7-110
- president, 85-7-1502, 85-7-1702
- property of district, powers, 85-7-1908, 85-7-1910
- qualification, 85-7-1501
- quorum, 85-7-1503
- reconcilement of accounts, 85-7-1508
- records, 85-7-1502, 85-7-1503, 85-7-1508, 85-7-1902, 85-7-1913, 85-7-2020
- removal, 85-7-1913
- report, annual, 85-7-1914
- residence, 85-7-1501
- revenue bonds, issuance, See **Bond issues**, revenue bonds
- right of entry on lands, 85-7-1903, 85-7-1923
- right-of-way, 85-7-1904, 85-7-1909
- rulemaking authority, 85-7-1503, 85-7-1902
- salary, 85-7-1502, 85-7-1505, 85-7-1508
- seal, 85-7-1902
- secretary, 85-7-1502 — 85-7-1504, 85-7-1508, 85-7-1702, 85-7-1974
- securities held by county treasurer, delivery to, 85-7-2166
- sinking fund, creation, 85-7-1971, 85-7-2132
- special election, call for, 85-7-1712
- staff, 85-7-1502, 85-7-1902
- subdistricts, creation, 85-7-401 — 85-7-404
- substitution of water by, 85-7-1912
- surplus water, disposal, 85-7-1911
- taxable tracts, designation, 85-7-1710, 85-7-2107, 85-7-2109, 85-7-2110, 85-7-2112, 85-7-2114, 85-7-2115
- tax deed lands
  - management by, 85-7-2162
  - partition of interest, 85-7-2165
  - purchase by, 85-7-2157, 85-7-2158, 85-7-2162

IRRIGATION DISTRICTS (Continued)
Commissioners, board of (Continued)
  tax deed lands (Continued)
    sale by, 85-7-2160, 85-7-2165
  taxes and assessments, levy and collection, 85-7-1972, 85-7-2104, 85-7-2109, 85-7-2117, 85-7-2134, 85-7-2136
  term of office, 85-7-1501, 85-7-1702, 85-7-1703
  travel expenses, 85-7-1505
  united states, entry into agreements with, 85-7-1906, 85-7-1958, 85-7-2031, 85-7-2032
  vacancies, 85-7-1703
  voting records, 85-7-1902
  voting tracts, designation, 85-7-1710
  water control authority, 85-7-1922
    acquisition of water, 85-7-1904, 85-7-1907
    apportionment of water, 85-7-305, 85-7-1902, 85-7-1907, 85-7-1911, 85-7-1922, 85-7-1925
    appropriation of water, 85-7-1904
    dams and reservoirs, construction and maintenance by, 85-7-1907
    distribution by, 85-7-305, 85-7-1902, 85-7-1907, 85-7-1911, 85-7-1922
    exchange of water by, 85-7-1912
    substitution of water by, 85-7-1912
    surplus water, disposal, 85-7-1911
Common water supply, districts created by owners of, 85-7-301 — 85-7-303
  apportionment of water, 85-7-305
  assessments and expenses, 85-7-306
  exclusions from provisions, 85-7-304
  preexisting districts, 85-7-308
  purpose of provisions, 85-7-301
  tax levy, 85-7-307
Consolidation of districts, See **Acreage and boundaries**, withdrawal of lands to form a separate or consolidated district
Construction
  bond issues for, 85-7-2012
  consolidation of districts, effect, 85-7-1832
  contract, by, 85-7-1941, See **Contracts**
  dissolution of district, effect, 85-7-1001, 85-7-1002
  engineer's recommendations, 85-7-1901
  funds, 85-7-2138, 85-7-2139, 85-7-2166
  joint construction with governmental entities, 85-7-1905
  lands already under irrigation, effect on charges, 85-7-1935
  plan of commissioners, 85-7-1901, 85-7-1907, 85-7-1909
  preexisting organization, effect of laws, 85-7-110
  purchase of property in the course of, 85-7-1904
  right-of-way for, 85-7-1909
  separation of districts, effect, 85-7-1832
  sinking fund for, united states contracts, 85-7-1951
  taxable acreage, effect on, 85-7-2103
  undertakings, See **Bond issues**, revenue bonds
  united states, contracts with, 85-7-1906, 85-7-1951, See **United States, contracts with**
Contracts, See also **PUBLIC CONTRACTS**, generally
  applicability of laws, 85-7-1943
  bid requirements, 85-7-1941 — 85-7-1943; Title 18, chapter 1, part 2
  capacity of commissioners, 85-7-1902, 85-7-1904, 85-7-1941
  conflict of interest of commissioners, 85-7-1507
  discrimination, 49-3-207
  exchange of water, for, 85-7-1912
  joint operation, for, 85-7-1601, 85-7-1905, See **Joint operation of districts**
  preexisting organization, effect of laws, 85-7-110

IRRIGATION DISTRICTS (Continued)
Contracts (Continued)

- professional services, state, Title 18, chapter 8, part 2
- records, 85-7-1913
- state, with, See **State contracts**
- undertakings, for, 85-7-1411, 85-7-1412
- united states, with, See **United States, contracts with**

Cooperation with other governmental entities, 85-7-1905, 85-7-1906, See **Joint operation of districts; United States, contracts with**
Corporate authority, 85-7-109, 85-7-1004, 85-7-1710, 85-7-1902
Costs, taxes and assessments for, 85-7-2104
County merger, effect, 7-3-144
Creation of district

- adjudicated streams, creation of district, 85-7-201 — 85-7-203
- amendment of petition, 85-7-106, 85-7-403
- changes in district by court, 85-7-107
- commissioners, appointment, 85-7-107, 85-7-203
- common water supply, creation of districts by owners of, 85-7-301 — 85-7-303
- consent, 85-7-101
- decision by court, 85-7-107, 85-7-404, 85-7-2201
  - adjudicated streams, 85-7-203
- description of lands, 85-7-104, 85-7-401
- dismissal of petition, 85-7-107
- divisions, 85-7-107
- error, 85-7-104, 85-7-1811, 85-7-2201
- evidence of title, 85-7-102, 85-7-401
- expenses of, 85-7-2166
- hearing on petition, 85-7-105, 85-7-106, 85-7-203, 85-7-402, 85-7-403
- indebtedness incurred for, 85-7-2001
- investigation by department of natural resources and conservation, 85-7-103
- jurisdiction of district court, 85-7-104, 85-7-1811
- lands already under irrigation, inclusion, 85-7-1934
- lienholder's consent, 85-7-101
- mortgagee's consent, 85-7-101
- order creating district, 85-7-107, 85-7-108, 85-7-203
  - corrections, 85-7-1811, 85-7-2201
- order for hearing, 85-7-105, 85-7-402
- percentage of titleholders required, 85-7-101, 85-7-202, 85-7-401
- petition, 85-7-103, 85-7-104, 85-7-106, 85-7-203, 85-7-401
- preexisting districts, 85-7-110
- report by department of natural resources and conservation, 85-7-103
- subdistricts, 85-7-401 — 85-7-404
- titleholders, requirements, 85-7-101, 85-7-102, 85-7-203, 85-7-401
- united states, cooperation with, 85-7-101, 85-7-103, See also **United States, contracts with**

Dams and reservoirs, construction and maintenance, 85-7-1907
Debenture certificates, 85-7-2152 — 85-7-2156
Definitions, 85-7-1402, 85-7-2205
Dissolution of district

- adjudicated streams, districts of, 85-7-208
- amendment of petition, 85-7-1006
- authorization, 85-7-1001, 85-7-1002
- construction or purchase of plant or system, 85-7-1001, 85-7-1002
- corporation, use to carry out dissolution, 85-7-1004
- distribution of assets, 85-7-1007
- equitable action in rem, 85-7-1006
- errors or omissions, 85-7-1006

IRRIGATION DISTRICTS (Continued)
Dissolution of district (Continued)

- final decree, 85-7-1008
- findings by the court, 85-7-1006
- grounds, 85-7-1001
- hearing on petition, 85-7-1001, 85-7-1005, 85-7-1006
- indebtedness of district, effect, 85-7-1001 — 85-7-1003, 85-7-1007
- in rem proceeding, 85-7-1006
- judgment, 85-7-1001, 85-7-1002, 85-7-1006, 85-7-1008
- jurisdiction of district court, 85-7-1001, 85-7-1002
- mistakes, 85-7-1006
- order on petition, 85-7-1001, 85-7-1002, 85-7-1006, 85-7-1008
- percentage of titleholders required, 85-7-1001, 85-7-1002
- petition, 85-7-1001 — 85-7-1003, 85-7-1006
- preexisting districts, disorganization and reorganization, 85-7-110
- property of district, disposition, 85-7-1007, 85-7-1910
- rules of procedure, 85-7-1006
- sale of assets, 85-7-1007
- subdistricts, 85-7-412
- testimony at hearing, 85-7-1001, 85-7-1005
- venue, 85-7-1001, 85-7-1002

Distribution of water, See **Apportionment of water**
Distribution system, 85-7-1921
Districts in process, applicability of laws, 85-7-110
Ditches
- nonliabilities, 85-7-2212
- safety, duties, 85-7-2211

Diversion of waters not authorized, 85-7-1933
Divisions, 85-7-107
Drought, apportionment of water in, 85-7-1911
Elections, See also **ELECTIONS, Political subdivisions, elections of**
- acreage, voting rights based on, 85-7-1710, 85-7-1974
- annual elections, 85-7-1702
- block voting, 85-7-1710
- campaign practices exceptions, 13-37-206
- commissioners, 85-7-1702, 85-7-1703
  - adjudicated streams, districts of, 85-7-204
- electors, 85-7-1710
- joint operation of districts, 85-7-1602
- nonirrigable lands, no voting rights, 85-7-2110
- place of election filings and proceedings, 85-7-1713
- revenue bond, resolution for issuance — election not required, 85-7-1418
- sale of land, effect, 85-7-1710
- special elections, 85-7-1712
- state contracts, 85-7-1974
- trustees of adjudicated stream districts, 85-7-204
- united states, for contracts with, 85-7-1956
- voting rights, 85-7-1710, 85-7-2110
- where documents filed and proceedings held, 85-7-1713

Electrical power generation
- by, 85-7-1961
- small power production facilities, acquisition, See **Bond issues**, revenue bonds

Elimination of lands, See **Acreage and boundaries**
Emergency expenditures, 85-7-2001
Eminent domain, See **EMINENT DOMAIN, Irrigation districts**
Employees of district
- compensation, 39-3-406, 85-7-1502

IRRIGATION DISTRICTS (Continued)
Employees of district (Continued)
  hiring and supervision, 85-7-1902
  overtime compensation exclusions, 39-3-406
  workers' compensation, See **WORKERS' COMPENSATION, Public employers**
Engineers
  report, 85-7-1901
  state services contracts, Title 18, chapter 8, part 2
Equipment
  costs, assessment, 85-7-1925
  distribution system, as part of, 85-7-1921
  entry on land to install or regulate, 85-7-1923
  installing, 85-7-1923, 85-7-1925
  interference with unlawful, 85-7-1924
  natural resources and conservation, department of — conveyance to, to obtain aid, 85-7-1910
  property tax exemption, 85-7-2011
  tampering with unlawful, 85-7-1924
  tax exemption, 85-7-2011
Exchange of water by commissioners, 85-7-1912, 85-7-2021
Exclusion of lands or extension of boundaries, See **Acreage and boundaries**
Fees, 85-7-2103, 85-7-2104, See **Taxes and assessments**
Funds
  bonds, See also **Bond issues**
    misconduct in relation to, 85-7-2142, 85-7-2143
    principal and interest fund, 85-7-2131, 85-7-2133, 85-7-2166
    proceeds, disposition, 85-7-2027
    sinking fund, 85-7-2132, 85-7-2139 — 85-7-2141, 85-7-2166
  construction fund, 85-7-2138, 85-7-2139, 85-7-2166
  custodian, 85-7-1618, 85-7-2166
  enumeration, 85-7-2166
  general fund, 85-7-1417, 85-7-2166
  investment of funds, 85-7-1951, 85-7-1971, 85-7-2027, 85-7-2133, 85-7-2136, 85-7-2140
  maintenance fund, 85-7-2166
  misconduct in relation to, 85-7-2142, 85-7-2143
  reserve fund, 85-7-2133
  revolving fund for tax sale purchases, 85-7-2157, 85-7-2158
  separateness, 85-7-1618, 85-7-2131, 85-7-2133
  sinking fund for betterments, 85-7-1951, 85-7-1971, 85-7-2140
  sinking fund for redemption of bonds, 85-7-2132, 85-7-2139 — 85-7-2141, 85-7-2166
  surplus funds, 85-7-2027, 85-7-2138
  taxes and assessments for, See **Taxes and assessments**
  tax sales, deposit and credit of proceeds, 85-7-2152, 85-7-2153, 85-7-2157
  transfers between counties, 85-7-2135
  transfers between funds, 85-7-2139
  united states contract fund, 85-7-1952, 85-7-2133, 85-7-2139, 85-7-2166
Gifts, authority, 85-7-1411
Grants, 7-7-109
Gravity systems to irrigate, 85-7-2103
  acquisition, See **Bond issues**, revenue bonds
Highways, irrigable land acquired for, 60-4-109
Indebtedness of
  adjudicated streams, district of, 85-7-205
  applicability of laws, 85-7-2001
  bankruptcy, 85-7-2041
  bonded, See **Bond issues**
  common water supply, district of, 85-7-301

IRRIGATION DISTRICTS (Continued)
Indebtedness of (Continued)

  dissolution, effect, 85-7-1001 — 85-7-1003
  emergency expenditures, 85-7-2001
  insurers, investment in evidences of indebtedness of, 33-2-815
  legislature, projects authorized by, 85-7-2001
  limitations, 85-7-2001
  liquidation, contracts for, 85-7-1971
  subdistricts, 85-7-404
  united states, contracts with, 85-7-1906, 85-7-1951, See **United States, contracts with**
    exclusion of lands when indebtedness to united states, See **Acreage and boundaries**
Indebtedness to, withholding of water when delinquent, 85-7-1902
Interpretation of laws, 85-1-103
Investments by district, 85-7-1951, 85-7-1971, 85-7-2027, 85-7-2133, 85-7-2140, 85-7-2141
Irrigable land, 85-7-2205
Irrigated lands, lands already under irrigation
  construction costs and charges, 85-7-1935
  creation of district, inclusion in, 85-7-107, 85-7-1934
  exclusion of lands, 85-7-1808
  preexisting district, 85-7-110
  taxes and assessments, apportionment, 85-7-2103
Joint Board of Control, 85-7-1601, 85-7-1602, 85-7-1611 — 85-7-1613, See also **Joint operation of districts**
  costs of operation paid to, 85-7-1617
  funds, 85-7-1618
  manager, hiring and supervision, 85-7-1615
  minutes, 85-7-1616
  offices, 85-7-1614
  operation of joint district by, 85-7-1612, 85-7-1617
  preexisting boards, 85-7-1604
  records, 85-7-1612, 85-7-1614, 85-7-1616
  revenue bonds, issuance, See **Bond issues**, revenue bonds
  withdrawal from joint district, notice to board, 85-7-1603
Joint operation of districts, See also **Joint Board of Control**
  accounts, 85-7-1616
  apportionment of costs and expenses, 85-7-1617
  authorization, 85-7-1601
  bylaws, 85-7-1612
  conflict of laws, 85-7-1605
  contracts for, 85-7-1601
  costs and expenses, apportionment, 85-7-1617
  election, 85-7-1602
  funds, 85-7-1618
  governmental entities, with, 85-7-1905
  interstate, 85-7-1601
  managers, 85-7-1611, 85-7-1615
  offices, 85-7-1614
  petition, 85-7-1602
  preexisting contracts and joint operations, 85-7-1604
  purpose of provisions, 85-7-1605
  records, 85-7-1614, 85-7-1616
  rulemaking authority, 85-7-1612
  withdrawal from joint operation, 85-7-1603
Land surveying services contracts, Title 18, chapter 8, part 2
Leasing, authority, 85-7-1411, 85-7-1612, 85-7-1904, 85-7-1905, 85-7-1910, 85-7-1912, 85-7-2162

IRRIGATION DISTRICTS (Continued)

Liens
  bonds, lien of, 85-7-1433, 85-7-2021, 85-7-2112, 85-7-2114
  creation, consent of lienholder, 85-7-101
  state, lien of contract amounts owed to, 85-7-1973
  tax lien
    attaches when, 85-7-2108
    debenture certificate, lien vests in purchaser of, 85-7-2153
    entitlement, 85-7-2108, 85-7-2114
    nonirrigable lands, 85-7-2110
    property subject to, 85-7-2108, 85-7-2110, 85-7-2114
  undertakings, on, 85-7-1415, 85-7-1417
  united states, lien of contract amounts owed to, 85-7-1953, 85-7-2021
Loans, 85-7-1971, 85-7-1974
Maintenance
  commissioners, board of — authority, 85-7-1908
  fund, 85-7-2166
  joint board of control, duty, 85-7-1612
  joint operation for, 85-7-1905, 85-7-1906, 85-7-2119
  taxes and assessments for, 85-7-306, 85-7-1617, 85-7-1935, 85-7-1954, 85-7-2103, 85-7-2104
  undertakings, See **Bond issues**, revenue bonds
  united states, loan from, 85-7-1951, See **United States, contracts with**
Management of district, 85-7-1902, 85-7-1905, 85-7-1908
Maximum amount of water to a tract, 85-7-305, 85-7-1911
Misconduct, 85-7-2212
Mistake
  bond issues, 85-7-2018
  correction when in order or decree, 85-7-1811
  court to disregard when, 85-7-2203
  creation of district, in petition for, 85-7-104
  dissolution of district, in petition for, 85-7-1006
  exclusion of lands, in petition for, 85-7-1804
  minor error, court to disregard, 85-7-2203
  order or decree, in, 85-7-1811
  taxes or assessments, 85-7-2106, 85-7-2117
Motor vehicles
  gross vehicle weight fee exemption, 61-10-214
  license plates, 61-3-332, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**
  tax exemption, 85-7-2011
Navigation interference, 85-7-1932
Negligence, 85-7-2212
Nonresidents, statement in petitions and notices to
  correction of errors in orders or decrees, 85-7-1811
  creation of district or subdistrict, 85-7-104, 85-7-105, 85-7-401
  exclusion of lands from district, 85-7-1803, 85-7-1805
Notes, sale in anticipation of federal or state revenue, 7-7-109
Officers, See **Commissioners, board of**
Offices, 85-7-1502, 85-7-1614
Organization, See **Creation of district**
Owner of water, defined as, 85-1-102
Owners of rights in common, See **Common water supply**
Power generation, continuation, 85-7-1961
Powers of district, conference at creation, 85-7-101
Preexisting districts, applicability of laws, 85-7-110
  common water supply, districts created by owners of, 85-7-308

IRRIGATION DISTRICTS (Continued)
Preexisting districts, applicability of laws (Continued)

electrical power operation, continuation, 85-7-1961
joint operations agreements, 85-7-1604
Prior laws, applicability, 85-7-110, See **Preexisting districts**
Property
acquisition by commissioners, 85-7-1901, 85-7-1904 — 85-7-1906, 85-7-1908, 85-7-2012, 85-7-2024
bond issues to acquire, 85-7-2012, 85-7-2024; Title 85, chapter 7, part 14, See **Bond issues**, revenue bonds
distribution system, defined as, 85-7-1921
ditches, nonliabilities, 85-7-2212
interference with, 85-7-1924
leasing, 85-7-1411, 85-7-1612, 85-7-1905, 85-7-1910
natural resources and conservation, department of — conveyance to, 85-7-1910
powers of commissioners, 85-7-1908, 85-7-1910
right of entry on lands, 85-7-1903, 85-7-1923
right-of-way, 85-7-1904, 85-7-1909
tampering with, 85-7-1924
tax exemption, 15-6-201, 15-6-206, 85-7-2011
title, 85-7-1908
Public corporation, district as, 85-7-109
Public use, use of water for irrigation, 85-7-1931
Pumping facilities, acquisition, See **Bond issues**, revenue bonds
Pumping fees, 85-7-2103
Records, 85-7-1913
form, 85-7-1614, 85-7-1913
joint board of control, of, 85-7-1614, 85-7-1616
meetings, of, 85-7-1503
offices of district, to be kept at, 85-7-1502
orders, resolutions, and voting records — of, 85-7-1902
secretary to keep, 85-7-1503, 85-7-1508
taxable lands, list of, 85-7-2109
Reports
annual, 85-7-1914
financial, Title 2, chapter 7, part 5
Resolutions
bonds, for
cancellation, 85-7-2025
issues, 85-7-1418, 85-7-1419, 85-7-2014 — 85-7-2016, 85-7-2020, 85-7-2101
sale, 85-7-2023
correction of error in order or decree, for petition, 85-7-1811
meetings of commissioners, change of place, 85-7-1502
property of district, disposal, 85-7-1910
taxes and assessments, provision for, 85-7-2101, 85-7-2109, 85-7-2112, 85-7-2114, 85-7-2133
tax sales, respecting, 85-7-2157
united states, contracts with — amendments or supplementary contracts, 85-7-2032
Rulemaking authority
commissioners, 85-7-1503, 85-7-1902
joint board of control, 85-7-1612
secretary of the interior, 85-7-1911, 85-7-1912, 85-7-1931
Sale of surplus water, 85-7-1911
Seal, 85-7-1902, 85-7-2020, 85-7-2027, 85-7-2133
Separation of district, See **Acreage and boundaries**, withdrawal of lands to form a separate or consolidated district
Shortage of water, 85-7-1911

IRRIGATION DISTRICTS (Continued)

Small power production facilities, acquisition, See **Bond issues**, revenue bonds
State contracts
  amount owed, lien and tax, 85-7-1973
  assessments, 85-7-1972
  court approval, 85-7-1975
  majority vote or petition required, 85-7-1974
  purpose and sinking fund, 85-7-1971
State land sales within, See **STATE LANDS**, **Sales**
Statute of limitation on action attacking order or decree, 85-7-2201
Storage of water, 85-7-1905
Stream protection provisions, applicability, 87-5-507
Subdistricts
  addition or exclusion of land or alteration of geographic area, 85-7-404, 85-7-411
  creation, 85-7-401 — 85-7-404
  dissolution, 85-7-412
  hearings, 85-7-402 — 85-7-404
  improvements, scope or type — alteration, 85-7-404
  taxable area, determination, 85-7-411
Subdivision, survey requirements affecting, 76-3-401, 76-3-402, 76-3-406
Substitution of water, 85-7-1912, 85-7-2021
Sufficient water, commissioners to provide, 85-7-1907
Surety bonds, See **Bonds and undertakings**
Surplus water, 85-7-1911
Surveys
  construction of works
    engineer's report, for, 85-7-1901
    entry on land, 85-7-1903
    required prior to construction, 85-7-1941
  contracts for, 85-7-1904
  indebtedness for, 85-7-2001
  irrigable area, for determination of, 85-7-2107, 85-7-2114
Taxes and assessments
  addition of lands, effect, 85-7-2103
  adjudicated streams, water and acreage requirements, 85-7-203, 85-7-205, 85-7-206
  administrative expenses, for, 85-7-2103, 85-7-2104
  allocation of revenue, 85-7-2133, 85-7-2166
  apportionment, 85-7-206, 85-7-307, 85-7-2103, 85-7-2104, 85-7-2107, 85-7-2114, 85-7-2115
  assessment roll, 85-7-2136
  back assessments, 85-7-2106
  bonded indebtedness, to pay — specific provisions
    addition of lands, effect, 85-7-2102
    annual levy and collection, 85-7-2101, 85-7-2104
    applicability of laws, 85-7-2141
    apportionment of costs, 85-7-2114
    authorization, 85-7-2101
    cancellation of levy, 85-7-2105
    collection, 85-7-2101, 85-7-2102, 85-7-2133
    equalization, 85-7-2102
    lands subject to tax, 85-7-2021, 85-7-2101, 85-7-2104, 85-7-2114 — 85-7-2116
    levy, 85-7-2021, 85-7-2101, 85-7-2102, 85-7-2104
      cancellation when, 85-7-2105
      confirmation by court, 85-7-2016
      county officers, by, 85-7-2133, 85-7-2134
      petition for bond issue, provision for levy, 85-7-2014
      revenue bondholders may not compel, 85-7-1415

IRRIGATION DISTRICTS (Continued)
Taxes and assessments (Continued)
- bonded indebtedness, to pay — specific provisions (Continued)
  - payment of total assessed amount, effect, 85-7-2114
  - sinking fund for, creation, 85-7-2132, 85-7-2157, See also **Funds**
- collection
  - additional lands, effect, 85-7-2102
  - annual, 85-7-2101
  - bonds or coupons in lieu of cash, 85-7-2166
  - county officers, duties and assistance, 85-7-2133, 85-7-2136, 85-7-2166
  - failure to collect, 85-7-2137
  - manner, 85-7-2133, 85-7-2136, 85-7-2166
  - transmittal of funds between counties, 85-7-2135
- commissioners, board of — duties, 85-7-2104, 85-7-2109, 85-7-2117, 85-7-2134, 85-7-2136
- common water supply, districts of, 85-7-307
- conclusiveness of tax, 85-7-2117
- confirmation by district court, 85-7-2112, 85-7-2114
- construction, effect, 85-7-1935, 85-7-2103
- contracts, state — for, 85-7-1972, 85-7-1973
- county officers, duties, 85-7-2133, 85-7-2134
- county treasurer, liability, 85-7-2166
- debenture certificates, 85-7-2152 — 85-7-2156
- delinquencies, 85-7-1902, 85-7-2137
- distribution equipment, for, 85-7-205, 85-7-1925
- equalization, 85-7-2102
- excess taxes, 85-7-1844, 85-7-2111, 85-7-2112
- exchange of water, effect, 85-7-2103
- exemptions, 85-7-1935, 85-7-2011, 85-7-2110
- failure to collect, 85-7-2137
- gravity systems for, 85-7-2103
- investigation costs, for, 85-7-103
- jurisdiction of district court, 85-7-2112, 85-7-2114
- lands subject to tax
  - all lands subject alike, 85-7-109, 85-7-2101, 85-7-2103, 85-7-2104, 85-7-2114
  - back assessments, 85-7-2106
  - confirmation by court, 85-7-2115, 85-7-2116
  - contracts, state — benefited by, 85-7-1972, 85-7-1973
  - exchange of waters, lands excluded, 85-7-2101, 85-7-2103
  - failure to assess, 85-7-2106
  - federal involvement, effect, 85-7-2113, 85-7-2119
  - irrigable area, determination, See **Acreage and boundaries**, taxable acreage entries
  - irrigated lands, lands already under irrigation, 85-7-1935
  - list of lands, 85-7-2109
  - nonirrigable lands exempt, 85-7-2110
  - out-of-state, when land partially is, 85-7-2119
  - state-owned lands within district, 85-7-2103
  - subdistricts, 85-7-411
  - substitution of waters, lands excluded, 85-7-2101, 85-7-2103
  - taxable area, determination, See **Acreage and boundaries**, taxable acreage entries
  - united states involvement, effect, 85-7-1825, 85-7-2113, 85-7-2119
- levy
  - additional lands, against, 85-7-2102
  - annual, 85-7-2101, 85-7-2104
  - back assessments, 85-7-2106
  - cancellation, 85-7-1844, 85-7-2105, 85-7-2111, 85-7-2112, 85-7-2118
  - commissioners, by, 85-7-1971, 85-7-1972, 85-7-2101, 85-7-2104, 85-7-2134
  - confirmation by court, 85-7-2112
  - county commissioners, by, 85-7-2133, 85-7-2134

IRRIGATION DISTRICTS (Continued)
Taxes and assessments (Continued)
- levy (Continued)
  - manner, 85-7-2133
  - out-of-state, district partially, 85-7-2119
  - state contracts, 85-7-1972
  - united states contracts, 85-7-1906, 85-7-1951, 85-7-2118, 85-7-2119
- lien of tax, 85-7-1973, 85-7-2108, 85-7-2110, 85-7-2114, 85-7-2153
- list of lands in district, 85-7-2109, 85-7-2114, 85-7-2134, 85-7-2136
- maintenance, for, 85-7-306, 85-7-1617, 85-7-1935, 85-7-1954, 85-7-2103, 85-7-2104
- minimum fee, 85-7-2103, 85-7-2104
- municipal corporation, district defined as, 15-1-101
- nonirrigable lands exempt from tax, 85-7-2110
- objections, 85-7-2115
- out-of-state, when district is partially, 85-7-2119
- payment of total assessment, effect, 85-7-2114
- property tax exemptions, 15-6-201, 15-6-206, 85-7-2011
- pumping charges, for, 85-7-2103
- rate of tax, 85-7-2101, 85-7-2103, 85-7-2104, 85-7-2107, 85-7-2115
- redemption of property
  - applicability of laws, 85-7-2164
  - debenture certificate interest, effect, 85-7-2152, 85-7-2154
  - manner, 85-7-2152, 85-7-2154
  - not redeemed, sale by county commissioners, 85-7-2155, 85-7-2156
  - payment of delinquent taxes, 85-7-2136
  - proceeds, disposition, 85-7-2157
  - right of, extent, 85-7-2151
- refunds, 85-7-2105, 85-7-2111, 85-7-2112
- review by district court, 85-7-2112, 85-7-2114
- revolving fund for tax sale purchases by district, levy for, 85-7-2157
- rural special improvement district assessment exemption, 85-7-2011
- sale of lands, effect, 85-7-2167
- separate tracts of land, fee, 85-7-2103, 85-7-2104
- sinking fund, creation, 85-7-1971, 85-7-2132, 85-7-2157
- special improvement district assessment exemption, 85-7-2011
- subdistricts, 85-7-411
- substitution of water, effect, 85-7-2103
- tax deeds
  - delivery of water, commencement required, 85-7-2164
  - issuance, 85-7-2159, 85-7-2163
  - partitioning lands between county and district, 85-7-2165
  - sale of tax deed lands, 85-7-2160
  - state land within district, 77-2-315
- tax sales
  - applicability of laws, 85-7-2151, 85-7-2164
  - commissioners, supplementary powers, 85-7-2162
  - county as purchaser, 85-7-2152
  - county as seller, 85-7-2155, 85-7-2156
  - debenture certificates, 85-7-2152 — 85-7-2156
  - delivery of water, commencement required, 85-7-2164
  - district as purchaser, 85-7-2157, 85-7-2158, 85-7-2160 — 85-7-2162
  - district as seller of tax deed lands, 85-7-2160
  - manner of sale, 85-7-2151
  - nondistribution of proceeds, 85-7-2157
  - partitioning tax deed lands between county and district, 85-7-2165
  - proceeds of sale, 85-7-2152, 85-7-2155 — 85-7-2157

IRRIGATION DISTRICTS (Continued)
Taxes and assessments (Continued)
  tax sales (Continued)
    purchase by
      county, 85-7-2152
      district, 85-7-2157, 85-7-2158, 85-7-2160 — 85-7-2162
    quiet title action by district, 85-7-2161, 85-7-2162
    rentals from property, 85-7-2157
    revolving fund for tax sale purchases, 85-7-2157, 85-7-2158
    state land within district, 77-2-315
    struck off to county, 85-7-2152, 85-7-2156, 85-7-2162
    struck off to district, 85-7-2157
  transfer of lands, effect, 85-7-2167
  transmittal of funds between counties, 85-7-2135
  united states, when contracts with, See **United States, contracts with**
  water distribution equipment, for, 85-7-1925
  works in progress, 85-7-2103
Termination of district, See **Dissolution of district**
Title to lands, evidence, 85-7-102
Undertakings, See **Bonds and undertakings**
United States, contracts with
  affidavits to accompany petitions, 85-7-1956, 85-7-2013
  amendatory contract, 85-7-2031, 85-7-2032, 85-7-2118
  applicability of laws, 85-7-1943
  apportionment of water acquired by, 85-7-1911, 85-7-1912, 85-7-1931
  authorization, 85-7-1906
  bids, exclusion from laws, 85-7-1943
  bond issues to fund, 85-7-2012, 85-7-2015
    amendment of contract effect, 85-7-2031, 85-7-2032
    assessment for, 85-7-1906, 85-7-2014
    confirmation by court, 85-7-2015, 85-7-2032
    deposit with united states, 85-7-1906, 85-7-2024
    direct payment with, 85-7-2024
    interest, payment to united states, 85-7-1906
    lien of bonds, 85-7-2021
    petition for, 85-7-2013, 85-7-2032
  bonds not deposited with united states
    additional lands, 85-7-2102
    assessment in lieu of bond issue, 85-7-2014, 85-7-2101, 85-7-2102, 85-7-2104
    court confirmation, 85-7-2015
    funds to be separate, 85-7-2131, 85-7-2133
    issuance of bonds not required, 85-7-2015
    lien of amount owed, 85-7-2021
    separate and distinct funds, 85-7-2131, 85-7-2133
    united states contract fund, deposits to, 85-7-2133
  bonds of commissioners when fiscal agents for united states, 85-7-1504
  boundaries of district
    exclusion of lands, 85-7-1821, See **Acreage and boundaries**, united states, indebtedness of district to
    taxable acreage, determination and change, 85-7-1845, 85-7-2113
    withdrawal of lands for cooperation with united states, 85-7-1831, See **Acreage and boundaries**, withdrawal of lands to form a separate or consolidated district
  capacity of commissioners to contract with, 85-7-1906, 85-7-2031
  confirmation by court, 85-7-2032
  consolidation of districts for cooperation with united states, See **Acreage and boundaries**, withdrawal of lands to form a separate or consolidated district
  construction contracts, applicability of laws, 85-7-1906, 85-7-1943, 85-7-1951
  contract fund, 85-7-1952, 85-7-2133, 85-7-2139, 85-7-2166

IRRIGATION DISTRICTS (Continued)
United States, contracts with (Continued)

- conveyance of property to united states, effect, 85-7-1908
- court confirmation, 85-7-2032
- creation of district to assume indebtedness to united states, 85-7-101, 85-7-103
- distribution of water acquired by, 85-7-1911, 85-7-1912, 85-7-1931
- exclusion of lands when indebtedness to united states, 85-7-1821, See **Acreage and boundaries**, united states, indebtedness of district to
- fiscal agent of the united states, appointment of commissioners as, 85-7-1504, 85-7-1906, 85-7-1913
- lands already under irrigation, inclusion when, 85-7-107, 85-7-1934, 85-7-1935
- lien of amounts due the united states when bonds not deposited, 85-7-2021
- loan for liquidation of indebtedness or construction, contract for
  - affidavit to accompany petition, 85-7-1956
  - applicability of laws, 85-7-1957, 85-7-1958
  - approval, 85-7-1957
  - assessments for, 85-7-1951 — 85-7-1953
  - assumption of operations by the united states, provision for, 85-7-1954
  - authorization, 85-7-1951, 85-7-1958
  - bonded indebtedness, to liquidate, 85-7-1951
    - cancellation and surrender of bonds, 85-7-1955
  - capacity to contract, 85-7-1951, 85-7-1958
  - confirmation by court, 85-7-1957
  - court approval, 85-7-1957
  - cumulative authority of district or commissioners to contract, 85-7-1958
  - default, 85-7-1954
  - deficiency assessments, 85-7-1952
  - delinquency, 85-7-1952, 85-7-1954
  - election for contract, 85-7-1956
  - general obligation of district, 85-7-1953
  - investment of sinking fund surplus, 85-7-1951
  - lands subject to assessment, 85-7-1953
  - lien of obligation, 85-7-1953
  - petition for contract, 85-7-1956
  - purpose of loan, 85-7-1951, 85-7-1956
  - sinking fund, creation, 85-7-1951, 85-7-2140
  - united states contract fund, assessment for, 85-7-1952
  - water, withholding upon default, 85-7-1954
- percentage of titleholders required, 85-7-2013
- petition, 85-7-2013, 85-7-2032
- previously irrigated lands, inclusion when, 85-7-107, 85-7-1934, 85-7-1935
- purposes, 85-7-1906
- records of district, access to, 85-7-1913
- supplementary contract, 85-7-2031, 85-7-2032, 85-7-2118
- taxes and assessments to fund, 85-7-2101, See also **Taxes and assessments**
  - addition of lands, 85-7-2102, 85-7-2103
  - amendment of contract, 85-7-2118
  - bonds, assessment for, 85-7-1906, 85-7-2014
  - cancellation of assessment, 85-7-2118
  - collection, 85-7-2102, 85-7-2103
  - conflict of laws, 85-7-2103
  - deposit of funds, 85-7-2133
  - equalization, 85-7-2102
  - exclusions, 85-7-1825, 85-7-2021, 85-7-2101
  - irrigable area, determination, 85-7-1845, 85-7-2113
  - lands subject to tax, 85-7-1825, 85-7-1845, 85-7-2021, 85-7-2101, 85-7-2102, 85-7-2113, 85-7-2119

IRRIGATION DISTRICTS (Continued)
- **United States, contracts with** (Continued)
  - taxes and assessments to fund (Continued)
    - lien of tax, 85-7-2021
    - loans from the united states, contracts for, 85-7-1951 — 85-7-1953
    - out-of-state, when land is partially, 85-7-2119
    - united states contract fund, deposit to, 85-7-2133
  - transfer of property to the united states, 85-7-1908
  - united states contract fund, 85-7-1952, 85-7-2133, 85-7-2139, 85-7-2166
  - water
    - acquired by, 85-7-1906
    - apportionment, 85-7-1911, 85-7-1912, 85-7-1931
    - withholding to ensure payment, 85-7-1906, 85-7-1954
  - withdrawal of lands for cooperation with the united states, 85-7-1831, See **Acreage and boundaries**, withdrawal of lands to form a separate or consolidated district
- **Use of water**, a public use, 85-7-1931
- **Water commissioners**, powers and duties, See **WATER, Commissioners**
- **Waters and water rights**
  - acquisition
    - appropriation, by, 85-7-1904, 85-7-1912, 85-7-1922, 85-7-1924
    - bond issues for, 85-7-2012, 85-7-2024; Title 85, chapter 7, part 14
    - commissioners' authority, 85-7-1904
    - construction fund, availability for, 85-7-2166
    - exchange of water, by, 85-7-1912
    - funds for, 85-7-2012, 85-7-2024
    - manner, 85-7-1904
  - adjudicated streams, districts of, See **Adjudicated streams**
  - apportionment of water, See **Apportionment of water**
  - appropriation, 85-7-1904, 85-7-1912, 85-7-1922, 85-7-1924
  - appurtenant water rights, inclusion of lands having, 85-7-107, 85-7-1808, 85-7-1934, 85-7-2103
  - bond issues to acquire, 85-7-2012, 85-7-2024
  - common water supply, districts of, See **Common water supply**
  - dissolution, effect, 85-7-1004, 85-7-1006
  - distribution, See **Apportionment of water**
  - ditches, nonliabilities, 85-7-2212
  - diversion of waters, 85-7-1933
  - drought, apportionment of water in, 85-7-1911
  - exchange of water, 85-7-1912, 85-7-2021
  - interference with unlawful, 85-7-1924
  - lease of property may not deprive of use, 85-7-1910
  - maximum amount of water to each tract, 85-7-305, 85-7-1911
  - navigation interference, 85-7-1932
  - public use, 85-7-1931
  - sale of surplus water, 85-7-1911
  - shortage of water, 85-7-1911
  - storage of water, acquisition of right, 85-7-1905
  - stream protection provisions, applicability, 87-5-507
  - substitution of water, 85-7-1912, 85-7-2021
  - sufficient water, commissioners to provide, 85-7-1907
  - surplus water, 85-7-1911
  - withholding of water
    - indebtedness to district, delinquency, 85-7-1902
    - interference with system, 85-7-1924
    - tax and assessment delinquency, 85-7-1902
    - united states, upon default on obligation to, 85-7-1954
- **Water users' associations**, 85-6-105
- **Withdrawal of lands**, See **Acreage and boundaries**

IRRIGATION DISTRICTS (Continued)

Withholding of water, See **Waters and water rights**
Workers' compensation, See **WORKERS' COMPENSATION, Public employers**

ITINERANT VENDORS
    See also **SALES, Personal solicitation**
Bond, 7-21-2306 — 7-21-2308
Definitions, 7-21-2301
Licenses, 7-21-2303 — 7-21-2305, 7-21-2308 — 7-21-2310, 49-3-204
Purchasers, aggrieved — rights, 7-21-2307
Scope of provisions, 7-21-2302
Violations, 7-21-2309, 7-21-2310

J

JAILS
    See **DETENTION CENTERS**
Escape or release from confinement, notification, 44-2-601

JOB SERVICE
    See **LABOR AND EMPLOYMENT, Employment service, state**

JOINT TENANCY
    See **PROPERTY**

JUDGES AND JUSTICES
    See also generally **COURTS**; **JUDICIAL BRANCH**; **PUBLIC OFFICERS OR EMPLOYEES**; specific courts
Absence of judge
    adjournment of court, 3-1-304, 3-1-305
    appeals
        statement of evidence or proceedings, settlement and approval, Title 25, chapter 21, M.R.App.P., Rule 9
        transcript for defendant without financial means, order concerning, Title 25, chapter 21, M.R.App.P., Rule 9
    forfeiture of office, Const., VII, 10
    motions and orders when, 25-4-101
    search and seizure, return of warrant and inventory to court, 46-5-301
    subpoenas, investigative — disobedience, 46-4-302
Acknowledgments, power to take and certify, 3-1-404, 3-1-405
Adjournment of court when absent, 3-1-304, 3-1-305, See also **COURTS**, Adjournment
Administration of justice without denial, sale, or delay, Const., II, 16
Affidavits, power to take and certify, 3-1-404, 26-1-1003
    foreign jurisdictions, 26-1-1004 — 26-1-1006
Appellate defense counsel for indigent defendants, roster of attorneys, 2-15-1020
Appointment, See **Judicial Nomination Commission**
Arrest exemption, 46-6-102
Candidate for nonjudicial office, resignation from judgeship required, 3-1-607, 3-1-608; Const., VII, 10
Censure, judicial standards commission recommendation for, 3-1-1106, 3-1-1107, 3-1-1109; Const., VII, 11
City court, See **CITY COURTS**
Code of Ethics, Title 2, chapter 2, part 1; Const., XIII, 4, See **CODE OF ETHICS**
Conciliation court, See **CONCILIATION**
Conflict of interest, 3-1-601 — 3-1-603; Const., VII, 9

JUDGES AND JUSTICES (Continued)

Contempt, See also **CONTEMPT**, generally
  power to punish for, 3-1-403
  rules of court, failure to comply with, 3-1-112
  superior court — disobedience to, as contempt, 3-1-501, 45-7-309
Conveyances, power to take and certify acknowledgment, 3-1-404, 3-1-405
Court defined to include, 46-1-202
Decrees, See **JUDGMENTS AND DECREES**, generally
Defined, 1-1-202, 46-1-202
Depositions, power to take and certify, 3-1-404, 3-1-405
Disciplinary action or proceedings, Const., VII, 11, See **Judicial Standards Commission**
Disqualification, See also **Substitution**; main categories for specific courts
  affidavit, 3-1-805
  cause, for, 3-1-804, 3-1-805
  costs, 25-10-205
  grounds, 3-1-803
  indictment, 3-1-1109
  judicial standards commission, recommendation for, 3-1-1106, 3-1-1109
  motions and orders, effect upon, 25-4-101
  procedure, 3-1-804; Const., VII, 3
  youth court, 41-5-202
District court, See **DISTRICT COURTS**
Election judges, See **ELECTIONS, Judges of elections; SCHOOL ELECTIONS, Judges**
Election of, See **ELECTIONS, Judicial candidates**
Estates, prohibited as personal representative when, 3-1-601
Ethics, See also **Judicial Standards Commission**
  code of, Title 2, chapter 2, part 1; Const., XIII, 4, See **CODE OF ETHICS**
  conflict of interest, 3-1-601 — 3-1-603; Const., VII, 9
Firewardens, complaints regarding forest law violations, 77-5-105
Forfeiture of office, 3-1-607, 3-1-608; Const., VII, 10
Good faith in carrying out rules of court, 3-1-112
Group insurance, participation, See **PUBLIC OFFICERS OR EMPLOYEES, Group benefits**
Immunity from liability, 2-9-112, See also **GOVERNMENT**
Impeachment, subject to, Const., V, 13; Title 5, chapter 5, part 4, See **IMPEACHMENT**
Incentive program for employees, Title 2, chapter 18, part 11
Indigent defendants, appellant defense counsel for — roster of attorneys, 2-15-1020
Instruments, interpretation, 1-4-101, 1-4-102
Investigation of, See **Judicial Standards Commission**
Judgments, See **JUDGMENTS AND DECREES**, generally
Judicial Nomination Commission
  application procedures, 3-1-1007
  appointment of members, 3-1-1001
  appointment of nominee to judicial office, Const., VII, 8
    duration, 3-1-1014
    election requirements, 3-1-1013, 3-1-1014; Const., VII, 8
      ballot form, 13-14-213
    senate confirmation, 3-1-1013; Const., VII, 8
  compensation of members prohibited, 3-1-1004
  composition, 3-1-1001
  confidentiality of proceedings, 3-1-1007
  creation, 3-1-1001
  establishment, 3-1-1001
  function, 3-1-1001
  judicial office, members ineligible when, 3-1-1005

JUDGES AND JUSTICES (Continued)
Judicial Nomination Commission (Continued)

- meetings when, 3-1-1010
- nomination for judicial appointment
  - application, 3-1-1009, 3-1-1010
  - chief justice of the supreme court
    - by, 3-1-1011, 3-1-1012
    - list of nominees to, 3-1-1007, 3-1-1008
  - concurrence of 4 members required, 3-1-1008
  - confirmation, 3-1-1013; Const., VII, 8
  - duration of appointment, 3-1-1014
  - effective when, 3-1-1013
  - governor
    - by, 3-1-1011
    - failure to nominate, 3-1-1012
    - list of nominees to, 3-1-1007, 3-1-1008
  - investigation of eligible persons, 3-1-1009
  - number of nominees required, 3-1-1010
  - qualifications, 3-1-1009
  - report, written, 3-1-1007, 3-1-1010
  - senate confirmation, 3-1-1013; Const., VII, 8
- notice of vacancies, 3-1-1007
- quorum, 3-1-1008
- rulemaking authority, 3-1-1007
- secretary, 3-1-1006
- terms of service, members, 3-1-1002
- travel expenses of members, 3-1-1004
- vacancies, how filled, 3-1-1007, 3-1-1003

Judicial Standards Commission, Const., VII, 11

- appointment of members, 3-1-1101; Const., VII, 11
- audit by legislative auditor, 3-1-1122, 3-1-1125
- compensation of members prohibited, 3-1-1104
- composition, 3-1-1101; Const., VII, 11
- confidentiality of proceedings, 3-1-1105; Const., VII, 11
  - legislative auditor, access, 3-1-1122, 3-1-1125
  - waiver, 3-1-1122, 3-1-1123
- conflict of interest of member, 3-1-1108
- creation, 3-1-1101; Const., VII, 11
- disciplinary proceedings
  - censure, suspension, removal, or retirement from office when, 3-1-1106 — 3-1-1111; Const., VII, 11
  - complaint to initiate, written, 3-1-1106
  - confidentiality, 3-1-1105, 3-1-1122, 3-1-1123; Const., VII, 11
  - conflict of interest of member, 3-1-1108
  - corrective action, 3-1-1106
  - criminal conviction of judge or justice, commission action, 3-1-1110
  - disclosure, 3-1-1107, 3-1-1121 — 3-1-1123
  - dismissal, 3-1-1106
  - disqualification of judge when, 3-1-1109
  - hearings, 3-1-1106
  - investigation of judge or justice, 3-1-1106; Const., VII, 11
  - masters, appointment of, 3-1-1106
  - notice, written, 3-1-1106
  - public access, 3-1-1107, 3-1-1121 — 3-1-1123
  - public statement by commission, 3-1-1123
  - recommendation of commission, 3-1-1106, 3-1-1109; Const., VII, 11
  - report to legislature, 3-1-1122, 3-1-1126

JUDGES AND JUSTICES (Continued)
Judicial Standards Commission (Continued)
  disciplinary proceedings (Continued)
    supreme court action on commission recommendation, 3-1-1107, 3-1-1110
    written
      complaint and notice, 3-1-1106
      public access, request for, 3-1-1122
  disclosure of proceedings
    legislative auditor, to, 3-1-1122, 3-1-1125
    legislature, report to, 3-1-1122, 3-1-1126
    required when, 3-1-1107, 3-1-1121, 3-1-1122
    selection of judges, information for, 3-1-1122, 3-1-1124
    statement by commission, 3-1-1123
    supreme court action, hearings, 3-1-1107
    waiver of confidentiality by judge, 3-1-1122, 3-1-1123
    waiver of notice, 3-1-1122, 3-1-1124
  establishment, 3-1-1101; Const., VII, 11
  legislative auditor, access to information, 3-1-1122, 3-1-1125
  legislature, report to, 3-1-1122, 3-1-1126
  membership, termination, 3-1-1103
  nonparticipation of member, 3-1-1108
  performance audit, 3-1-1122, 3-1-1125
  rulemaking authority, 3-1-1105; Const., VII, 11
  subpoena power, Const., VII, 11
  termination of membership, 3-1-1103
  terms of service, members, 3-1-1102
  travel expenses of members, 3-1-1104
  vacancies, how filled, 3-1-1103
  witnesses, Const., VII, 11
Jurisdiction, Const., VII, 1
  implementation, 3-1-113
  presumption, 26-1-602
Justices of the peace, See **JUSTICES' COURTS**
Justice to be administered without sale, denial, or delay, Const., II, 16
Law, practice of
  partner in, prohibited when, 3-1-603
  prohibited when, 3-1-601; Const., VII, 9
  restrictions after expiration of term of office, 3-1-605
  suspension from, when, 3-1-1111
Local Citizen Review Board Screening Committee, composition, 41-3-1002
Marriage, solemnization, 40-1-301
Masters, See **COURTS**
Military service
  appointment of "acting" officer, 10-2-227
  reinstatement upon completion, 10-2-221
Motions, See **MOTIONS AND ORDERS**, generally
Municipal court, See **MUNICIPAL COURTS**
Nomination, See **Judicial Nomination Commission**
Nonjudicial days, conduct of criminal proceedings on, 3-1-302
Nonjudicial office, candidacy for — resignation from current position required, 3-1-607, 3-1-608; Const., VII, 10
Notarial acts, Title 1, chapter 5, part 6, See **NOTARIES PUBLIC**
Oaths, Const., III, 3
  power to administer, 1-6-101, 3-1-402
Official records, certification, Title 25, chapter 20, M.R.Civ.P., Rule 44(a)
Order in judicial proceedings, power to compel, 3-1-402
Orders, See **MOTIONS AND ORDERS**, generally
Out of court powers, 3-1-401

JUDGES AND JUSTICES (Continued)

Personal representative — prohibited as, when, 3-1-601
Police judges, See **CITY COURTS, Judges**
Political candidacy, resignation from judgeship required, 3-1-607, 3-1-608; Const., VII, 10
Powers generally, 3-1-401, 3-1-402; Const., III, 1; VII, 1
Practice of law, See **Law, practice of**
"Public servant" defined, 45-2-101, See **CRIMES, Public officers and employees**
Purchase of goods, Title 18, chapter 4
Qualifications
    district court, See **DISTRICT COURTS, Judge pro tempore; Judges**
    justice's court, See **JUSTICES' COURTS, Justices of the peace**
    municipal court, See **MUNICIPAL COURTS, Judges**
    supreme court, See **SUPREME COURT, Justices**
Quasi-judicial
    boards, 2-15-124
    function, 2-15-102
Referees, See **COURTS**
Removal from office
    criminal conviction, 3-1-1110, 3-1-1111
    judicial standards commission recommendation for, 3-1-1106, 3-1-1107, 3-1-1109 — 3-1-1111; Const., VII, 11
Resignation required when, 3-1-607
Restrictions generally, Const., VII, 9; Title 3, chapter 1, part 6
Retirement, See **JUDGES' RETIREMENT SYSTEM**
Review and investigation of, See **Judicial Standards Commission**
Rules of Civil Procedure — suggestions on, copies of amendments to, Title 25, chapter 20, M.R.Civ.P., Rule 86(a)
Rules of court, noncompliance as contempt, 3-1-112, 45-7-309
Salaries, 25-1-201; Const., VII, 7, See also main categories for specific court
School elections, See **SCHOOL ELECTIONS**
Selection, See **Judicial Nomination Commission**
Sentencing, exclusive authority, 46-18-103
Separation of powers, Const., III, 1
Small claims court, See **SMALL CLAIMS COURT, DISTRICT COURT; SMALL CLAIMS COURT, JUSTICES' COURTS, Justice**
Sovereign immunity, See **GOVERNMENT**
Speedy remedy, Const., II, 16
State land violations, failure to prosecute offenders, 77-1-114
Statewide classification and pay plans, 2-18-103
Statutes, interpretation, 1-2-101
Subpoena, power of, 3-1-111, 3-1-402, 26-2-102, 46-4-301
Substitution, See also main categories for specific courts
    costs, 19-5-404, 25-1-201, 25-10-205, 25-10-405
    procedure, 3-1-804; Const., VII, 3
Supreme court, See **SUPREME COURT, Chief justice; Justices**
Suspension
    criminal conviction, 3-1-1110
    judicial standards commission recommendation for, 3-1-1106, 3-1-1107, 3-1-1109, 3-1-1110; Const., VII, 11
Terms of office, Const., VII, 7, See also main categories for specific courts
Training requirements, 3-10-202, 3-10-203, 3-11-204; Title 3, chapter 1, part 15
Tribal judges, solemnization of marriage, 40-1-301
Vacancy in judicial office
    effect, 3-1-311
    filling, 3-1-1008 — 3-1-1014, 10-2-227; Const., VII, 8
    forced, 3-1-607, 3-1-608, 3-1-1106, 3-1-1107, 3-1-1110, 3-1-1111; Const., VII, 10; VII, 11

JUDGES AND JUSTICES (Continued)
Vacancy in judicial office (Continued)

military service, created by, 10-2-227
Veterans, See **Military service**
Water judges, See **WATER COURTS**
Witnesses
  as, Title 26, chapter 10, M.R.Ev., Rule 605
  power to compel attendance and testimony, 3-1-111, 3-1-402, 26-2-102
Workers' compensation judge, See **WORKERS' COMPENSATION**
Writs, See specific writ; **WRITS**, generally
Youth court, See **YOUTH COURT**

JUDGES' RETIREMENT SYSTEM
Adjustment payments, 19-15-101, 19-15-102
Administration, Title 19, chapter 2, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**
Benefits, See also **Death benefits**
  alternate payees, 19-2-907
  adjustment payments, 19-15-101, 19-15-102
  bankruptcy, exemption, 31-2-106
  claims, prosecution prohibited, 3-1-601
  compensation limit, 19-2-1005
  disability retirement, 19-5-601, 19-5-612
  discrimination prohibited, 49-2-309
  distributions, required, 19-2-1007
  forfeitures, use prohibited, 19-2-1006
  judge pro tempore, while acting as, 19-5-501
  judicial officer as attorney in actions concerning, prohibited, 3-1-601
  optional forms of payment, 19-5-701
  service retirement, See **Service retirement benefits**
  survivorship, 19-5-701, 19-5-801, 19-5-802
  tax exemption when, 19-2-1004
  vesting, 19-5-301
  workers' compensation, effect, 19-2-905
Citation of Judges' Retirement Act, 19-5-105
"Compensation" defined, 19-5-101
Death benefits, See also **Benefits**
  employment-related death, 19-5-801
  generally, 19-5-802
  lump sum payments when, 19-5-802
Death of retiree, effect on optional benefits, 19-5-701
Definitions, 19-2-303, 19-5-101, 19-15-102
Disability retirement
  benefits, 19-5-601
    cancellation when, 19-5-612
  determination of disability, 19-2-406
  medical examination requirements, 19-5-612
Discrimination prohibited, 49-2-309
Establishment, 19-5-102
Exemption, 19-2-1009
Fine, 19-2-1009
Forced retirement, when, 3-1-1106, 3-1-1107, 3-1-1109 — 3-1-1111; Const., VII, 11
Fraud, penalty, 19-2-1009
Funds
  district court fees, 25-1-201
  pension trust fund, payments into, 3-2-404, 3-2-405, 19-5-401, 19-5-404, 25-1-201
  supreme court, fees from, 3-2-404, 3-2-405
Involuntary retirement, See **Service retirement benefits**

JUDGES' RETIREMENT SYSTEM (Continued)

Judicial standards, recommendation for retirement, 3-1-1106, 3-1-1107, 3-1-1109 — 3-1-1111; Const., VII, 11
Legal process, exemption, 19-2-1004
Marital status, discrimination based on — prohibited, 49-2-309
Members
  disposition, 19-5-401
  distributions, required, 19-2-1007
  employer, pick up, 19-5-402
  inactive vested or nonvested, 19-5-301
  payroll deduction for, 19-5-402
  rate, 19-5-402
  refunds, 19-5-403
  resignation or discharge, 19-5-403
  state, by, 19-5-404
Membership, 19-5-301
Public Employees' Retirement Board, duties, Title 19, chapter 2, part 4
Public Employees' Retirement Division
  fees paid to, 19-5-404
  funds and accounts therein, 19-5-401
Public Employees' Retirement System
  administration by, Title 19, chapter 2
  membership in, 19-5-301
Records, falsification, 19-2-1009
Refunds of contributions, 19-5-403
Retired judges, 19-5-101
  call for duty, 19-5-103
  judge pro tempore
    benefits while acting as, 19-5-501
    membership, ineligibility, 19-5-301
Service retirement benefits
  alternate payees, 19-2-907
  computation, 19-5-502
  distributions, required, 19-2-1007
  eligibility, 19-5-501
  involuntary retirement, 19-5-503
  judge pro tempore, while acting as, 19-5-501
Sex, discrimination based on — prohibited, 49-2-309
Social security system, separateness, 19-1-104
Survivorship benefits
  alternate payees, 19-2-907
  death from other causes, 19-5-802
  distributions, requirements, 19-2-1007
  employment-related death, 19-5-801
  optional forms, 19-5-701
Voluntary retirement, call for duty following, 19-5-103
Workers' compensation benefits, effect, 19-2-905

JUDGMENTS AND DECREES
  See also **CRIMINAL PROCEDURE**; specific subject area
Admissions, partial — judgment upon, 25-4-601
Agreed statement of facts, upon, 25-7-602
Agricultural commodity licensees, effect of outstanding judgments, 80-4-421
Alteration, 25-10-104; Title 25, chapter 20, M.R.Civ.P., Rule 59(g)

JUDGMENTS AND DECREES (Continued)

- **Amendment**, Title 25, chapter 20, M.R.Civ.P., Rule 59(g)
  - appeal
    - notice, computation of time for filing, Title 25, chapter 21, M.R.App.P., Rule 5
    - stay of execution pending, time limitation, Title 25, chapter 21, M.R.App.P., Rule 7
  - applicability of laws, Title 25, chapter 20, M.R.Civ.P., Rule 60(c)
  - findings of fact, upon amendment of, Title 25, chapter 20, M.R.Civ.P., Rule 52(b)
    - time for determining, Title 25, chapter 20, M.R.Civ.P., Rule 52(d)
  - foreign-money claims, 25-9-706, 25-9-713
  - stay of proceedings for, Title 25, chapter 20, M.R.Civ.P., Rule 62(b)
- **Amount**
  - entitlement, to equal, Title 25, chapter 20, M.R.Civ.P., Rule 54(c)
  - expression, 25-9-203, 30-12-601, 30-12-602
- **Appeals**, 3-2-204, 3-5-118, 25-9-603, 25-9-607, 25-12-101, 46-20-101; Title 25, chapter 21, M.R.App.P., Rule 1, See **APPEALS, CIVIL; APPEALS, CRIMINAL**
- **Arbitration award**, judgment on, 27-5-314, 27-5-322
- **Arrest, prejudgment** — application of money deposited upon, 27-16-604
- **Attachment**
  - attachment of judgment, 27-18-408
  - security for judgment, as, 27-18-201
- **Attorney general**, duties generally, 2-15-501
- **Auto auction licensees**, unlawful conduct, 61-4-120
- **Boat dealers**, unlawful conduct — prior to collection on bond, 23-2-513
- **Bonds, official** — effect of separate judgments, 2-9-516
- **Business association**, effect against, 25-5-104
- **Child support**, 40-4-204, 40-5-226, 40-6-116
  - administrative orders, docketing, 40-5-227
  - damages, future — periodic payment, assignment, 25-9-405
  - distraint, warrant for — filing, 40-5-247
  - income withholding provisions, income exempt, 40-5-403
  - lien, extent, 25-9-301 — 25-9-303
  - paternity, order establishing, 40-5-235
- **Cities and towns**
  - payment, manner of, 7-6-4122, 7-6-4453
  - urban renewal property, effect on, 7-15-4260
- **City courts**, See **CITY COURTS**
- **Class actions**, Title 25, chapter 20, M.R.Civ.P., Rule 23(c)
- **Clerical mistakes**, See **Defect**
- **Community college districts**, against, 20-15-323
- **Conclusive**, 26-3-201, 26-3-205
- **Confession of defendant**, See **Confession of judgment**
- **Confession of judgment**, 27-9-101 — 27-9-103, See also **SPECIAL PROCEEDINGS**, generally
  - city courts, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
  - consumer loan businesses — confession of judgment to, unlawful, 32-5-305
  - contracts, illegal provisions, 28-2-709
  - jurisdiction of courts, 3-10-301, 25-30-101, 27-9-101
  - justices' courts, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
  - negotiable instruments, 28-2-709, 30-3-104
  - rental agreements, prohibited, 70-24-202
- **Conflict of laws**, See **CONFLICT OF LAWS**
- **Consumer reports**, inclusion of information, 31-3-112, 31-3-126
- **Contempt**
  - counsel's failure to deliver and pay fee, Title 25, chapter 19, M.U.Dist.Crt.Rule 11
  - disobedience to judgment as, 3-1-501, 3-10-401, 3-11-303, 25-9-406, 45-7-309
  - proceedings, judgment in, 3-1-523

JUDGMENTS AND DECREES (Continued)

Contents, 25-9-201, 26-3-102
Contract actions, admission of counterclaim when, 25-4-602
Corporations
  creditor's claims, unsatisfied — effect, 35-1-938
  dissenters, 35-1-838
  effect against, 25-5-104
  indemnification of directors, officers, employees, and agents, 35-1-451
Costs, 25-1-201, 25-9-404, 25-9-506, 25-10-504; Title 25, chapter 19, M.U.Dist.Crt.Rule 11; Title 25, chapter 20, M.R.Civ.P., Rule 54(d), See also **CIVIL PROCEDURE, Costs,** judgment
Counterclaim, effect of admission, 25-4-602, 25-31-907
Credit reports, inclusion of information, 31-3-112, 31-3-126
Criminal code, effect on court's power, 45-1-104
Criminal proceedings, See **CRIMINAL PROCEDURE**
Cross-claim must not delay judgment to plaintiff, 25-4-404
Damages, future — periodic payment, 25-9-401 — 25-9-406
Death of party
  damages, future — periodic payments, effect of death prior to completion, 25-9-403
  prior to judgment, effect, 25-9-103; Title 25, chapter 20, M.R.Civ.P., Rule 25(a)
Declaratory judgment, See also generally **REMEDIES; SPECIAL PROCEEDINGS**
  administrative rules, validity or application, 2-4-506
  air contaminant source owners, establishment of existence of trade secret, 75-2-105
  appeal, 27-8-312
  availability, 27-8-201 — 27-8-205; Title 25, chapter 20, M.R.Civ.P., Rule 57
  citation of uniform declaratory judgments act, 27-8-101
  class actions, Title 25, chapter 20, M.R.Civ.P., Rule 23(b)
  constitutional questions, 27-8-301
  construction of provisions, 27-8-102, 27-8-103
  costs, 27-8-311
  ditch company employees, clarification of obligations to, 27-1-731
  effect, 27-8-201, 27-8-301
  federal law, harmony with, 27-8-103
  form, 27-8-201; Title 25, chapter 20, M.R.Civ.P., Appendix, Form 14
  franchise questions, 27-8-202, 27-8-301
  hazardous or deleterious substance, remedial action upon release — liability for costs, 75-10-722
  issue of fact, 27-8-302
  jury trial, 27-8-302; Title 25, chapter 20, M.R.Civ.P., Rule 57
  motor fuel marketing, retail — below-cost sale violations, 30-14-806
  municipal ordinance questions, 27-8-202, 27-8-301
  obscene material, public display or dissemination to minors — determination of obscenity, 45-8-207
  oil and gas owners and operators, establishment of existence of trade secrets, 82-11-117
  parties, 27-8-301
  "person" defined, 27-8-104
  power of court, 27-8-201
  public officers and employees, 2-9-305
  purpose of provisions, 27-8-102
  refusal, 27-8-206
  review, 27-8-312
  rules of civil procedure, applicability, Title 25, chapter 20, M.R.Civ.P., Rule 57
  scope of authority, 27-8-201
  speedy hearing, Title 25, chapter 20, M.R.Civ.P., Rule 57
  summary judgment, application during proceedings for declaratory judgment, Title 25, chapter 20, M.R.Civ.P., Rules 56(a), 56(b)

JUDGMENTS AND DECREES (Continued)
Declaratory judgment (Continued)

- supplemental relief, 27-8-313
- taxes
  - assessment rule or procedure challenges, 15-1-406
  - erroneous taxation, 15-1-406 — 15-1-408
- trial, 27-8-302; Title 25, chapter 20, M.R.Civ.P., Rule 57
- uniformity of provisions, 27-8-103
- water pollution source owners, establishment of existence of trade secret, 75-2-105

Default judgment
- affidavit of amount due, Title 25, chapter 20, M.R.Civ.P., Rule 55(b)
- applicability of laws, Title 25, chapter 20, M.R.Civ.P., Rule 55(d)
- chambers, judge's power at, 3-5-311
- demand for judgment, to equal, Title 25, chapter 20, M.R.Civ.P., Rule 54(c)
- entry, 3-5-311; Title 25, chapter 20, M.R.Civ.P., Rules 55(a), 55(b), 55(c)
- justices' courts, See **JUSTICES' COURTS, Judgment**
- issue of law, when judgment on, 25-9-104
- minute book, 3-5-311
- notice of application, written, Title 25, chapter 20, M.R.Civ.P., Rule 55(b)
- parties applicable to, Title 25, chapter 19, M.U.Dist.Crt.Rule 10; Title 25, chapter 20, M.R.Civ.P., Rule 55(d)
- setting aside, Title 25, chapter 20, M.R.Civ.P., Rule 55(c)
- summons, notice that default judgment will be entered for failure to appear, Title 25, chapter 20, M.R.Civ.P., Rule 4C; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4C

Defect
- clerical mistakes, correction, Title 25, chapter 20, M.R.Civ.P., Rule 60(a); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 22B
- determination, Title 25, chapter 20, M.R.Civ.P., Rule 60(c)
- dissolution of marriage, summary dissolution, 40-4-135, 40-4-136
- harmless error, Title 25, chapter 20, M.R.Civ.P., Rule 61
- real property, validation of preexisting judgments affecting, 25-9-105

Defined, 25-9-502, 46-1-202; Title 25, chapter 20, M.R.Civ.P., Rule 54(a)
Demand for judgment, Title 25, chapter 20, M.R.Civ.P., Rule 54(c)
Depositions, applicability of laws, Title 25, chapter 20, M.R.Civ.P., Rule 69
Dismissal, effect upon, Title 25, chapter 20, M.R.Civ.P., Rule 41(a); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
Dissolution of marriage, summary dissolution, 40-4-130, 40-4-133, 40-4-134, 40-4-136
Docketing of judgment
- appeal, on, Title 25, chapter 21, M.R.App.P., Rule 16
- arbitration award, 27-5-314, 27-5-322
- child support
  - administrative orders, 40-5-227
  - distraint, warrant for — filing, 40-5-247
  - paternity, order establishing, 40-5-235
- district court, Title 25, chapter 19, M.U.Dist.Crt.Rule 11
- effect, 25-9-301
- federal judgments, filing in state court, 25-9-303
- fee, 25-1-201, 25-9-506; Title 25, chapter 19, M.U.Dist.Crt.Rule 11
- filing in another county, 25-9-302
- foreign judgments, 25-9-506
- justice's court, 3-10-501
- notice of entry, docketing, Title 25, chapter 20, M.R.Civ.P., Rule 77(d)
- real property subject to execution, determination by day of docketing, 25-13-305, See also **Property**
- redemption papers, copy required in, 25-13-807
- required, 25-9-301
- satisfaction, docketing, 25-9-311

JUDGMENTS AND DECREES (Continued)
Docketing of judgment (Continued)

- supreme court decision on appeal, Title 25, chapter 21, M.R.App.P., Rules 16, 30
- workers' compensation, payments due, 39-71-506

Effect, 26-3-201, 26-3-205
Enforcement
- contempt, disobedience as, 3-1-501, 3-10-401, 3-11-303, 45-7-309
- court's power to compel, 3-1-111
- execution, See **EXECUTION**
- foreign judgments, uniform, 25-9-501 — 25-9-508
- foreign-money claims, 25-9-711
- foreign money-judgments recognition, 25-9-603, 25-9-604
- receivers to implement, 27-20-102
- stay of proceedings, See **Stay of proceedings to enforce**
- trusts, 72-33-301 — 72-33-303

Entry of judgment
- appeal
  - date, computation from, Title 25, chapter 21, M.R.App.P., Rule 5
  - stay of execution pending, time limitation, Title 25, chapter 21, M.R.App.P., Rule 7
- city courts, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21
- clerk of court's duties, 3-5-501, 3-5-507, 25-9-204; Title 25, chapter 19, M.U.Dist.Crt.Rule 11; Title 25, chapter 20, M.R.Civ.P., Rule 58
- confession of judgment, 27-9-103
- damages, future — periodic payment, 25-9-403
- district court, Title 25, chapter 19, M.U.Dist.Crt.Rule 11
- docketing, See **Docketing of judgment**
- fee, 25-1-201
- foreign-money claims, variation by agreement, 25-9-704
- interest, statement of, 25-9-204
- judgment book, 3-5-507; Title 25, chapter 19, M.U.Dist.Crt.Rule 11
- justice's court, 3-10-501, 3-10-1005; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21
- manner of, Title 25, chapter 20, M.R.Civ.P., Rule 58
- multiple claims or parties, entry for some, Title 25, chapter 20, M.R.Civ.P., Rule 54(b)
- notice, Title 25, chapter 20, M.R.Civ.P., Rule 77(d)
- small claims court, 3-10-1005, 25-34-401
- submission of controversy without action, 27-7-103
- when, Title 25, chapter 20, M.R.Civ.P., Rule 58

Error, See **Defect**
Evidence, effect upon, See **EVIDENCE**
Exclusions, Title 25, chapter 20, M.R.Civ.P., Rule 54(a)
Execution, judgment for, 25-13-102, See also **EXECUTION**
Extent of judgment, 3-5-312, 26-3-102; Const., VI, 4
Federal judgments, docketing, 25-9-303
Foreign, See also **EVIDENCE, Judicial records**
- affidavits, filing, 25-9-504
- appeal, effect, 25-9-505
- citation of uniform enforcement of foreign judgments act, 25-9-501
- construction and interpretation of provisions, 25-9-508
- defined, 25-9-502
- effect, 25-9-503, 26-3-205
- enforcement, 25-9-501 — 25-9-508
- fee, 25-9-506
- filing, 25-9-503, 25-9-504, 25-9-506
- foreign-money claims, 25-9-711
- injunction to stay proceedings not permitted, 27-19-103
- optional procedure, 25-9-507
- pleading of, Title 25, chapter 20, M.R.Civ.P., Rule 9(e)

JUDGMENTS AND DECREES (Continued)
Foreign (Continued)

- proceeds of execution, distribution, 25-9-504
- security, 25-9-505
- status, 25-9-503
- statute of limitation for action upon, 27-2-201
- stay of execution, 25-9-503, 25-9-505

Foreign corporations, use of other corporation's name, 35-1-1031, 35-2-826
Foreign-money claims

- asserting and defending, 25-9-707, 25-9-709
- citation of uniform foreign-money claims act, 25-9-701
- contract claims, determining amount of money of, 25-9-706, 25-9-708
- conversions of foreign money, 25-9-709, 25-9-713
- currency revalorization, effect, 25-9-713
- definitions, 25-9-702
- enforcement, 25-9-711, 25-9-712
- interest, prejudgment and judgment, 25-9-710
- judgments and awards, 25-9-708
- money of claim, determining, 25-9-705, 25-9-707
- scope of provisions, 25-9-703
- supplementary principles of law, 25-9-714
- uniform application and construction, 25-9-715
- united states dollar value of, determining — limited purposes, 25-9-712
- variation by agreement, 25-9-704

Foreign money-judgments recognition

- appeal pending or entitlement to, 25-9-603, 25-9-607
- applicability of provisions, 25-9-603
- citation of uniform foreign money-judgments recognition act, 25-9-601
- definitions, 25-9-602
- interpretation, uniformity, 25-9-609
- nonrecognition, grounds for, 25-9-605
- personal jurisdiction, 25-9-606
- recognition and enforcement, 25-9-603, 25-9-604
- saving clause, 25-9-608

Form, Title 25, chapter 20, M.R.Civ.P., Rule 54(a)
Fraudulent transfers, Title 31, chapter 2, part 3, See **FRAUDULENT TRANSFERS**
Full faith and credit, See **Foreign**; **EVIDENCE, Judicial records**; **JURISDICTION**, generally
Future damages, periodic payment, 25-9-401 — 25-9-406
Harmless error, See **Defect**
Hazardous or deleterious substance, remedial action upon release

- contribution, from noncontributing person, 75-10-724
- liability for costs, declaratory judgment, 75-10-722

Hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rule 803
Highways, regarding, See **HIGHWAYS**
Housing authority obligees, deficiency judgments, 7-15-4532
Impeachment proceedings, See **IMPEACHMENT, Conviction**
Imprisonment of judgment debtor, effect of discharge, 25-14-310
Index, 7-4-2619
Insurance, Commissioner of — court order for stay of judgment, 33-1-711
Insurance guaranty associations, reopening of default judgments, 33-10-111, 33-10-222
Insurance, liability — existence not to be made evident when, 33-23-102
Insurers

- damages, future — periodic payment, 25-9-403, 25-9-406
- failure to pay, effect, 25-9-406, 33-2-119
- levy upon deposits prohibited, 33-2-610
- reciprocal, against, 33-5-405

JUDGMENTS AND DECREES (Continued)
Insurers (Continued)
- rehabilitation and liquidation, See **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**

Interest on
- allowable, 25-9-205
- appeal, effect, Title 25, chapter 21, M.R.App.P., Rule 31
- debt not yet due, when, 27-18-901
- decedent's estates, claims against, 72-3-805
- execution, 25-13-304, 25-13-713
- foreign-money claims, 25-9-710
- joint debtor, judgment against, 25-15-106
- prejudgment interest, 27-1-210
- revival of judgment, 25-13-713
- securities fraud, 30-10-307
- statement in judgment required, 25-9-204
- trust, breach of — as measure of liability, 72-34-509

Investments, Board of — effect of judgments against, 17-5-1648
Issues of fact
- adoption of party's findings of fact, Title 25, chapter 20, M.R.Civ.P., Rule 52(a)
- advisory jury, effect, Title 25, chapter 20, M.R.Civ.P., Rule 52(a)
- death of party, effect, 25-9-103
- grounds for adoption, Title 25, chapter 20, M.R.Civ.P., Rule 52(a)
- no jury, effect, Title 25, chapter 20, M.R.Civ.P., Rule 52(a)
- proposed findings and conclusions, failure to file — effect, Title 25, chapter 19, M.U.Dist.Crt.Rule 8

Issues of law, procedure after judgment on, 25-9-104
Joinder of parties, when, Title 25, chapter 20, M.R.Civ.P., Rule 20(a)
Joint debtors
- compromise with creditors, 25-15-201
- contribution, right to, 25-13-104, 25-15-202
- discharge, effect, 25-15-201, 25-15-202
- liability, application to, 25-15-101 — 25-15-106

Judge pro tempore, authority, 3-5-113, 3-5-116
Judge's jurisdiction, 3-5-113, 3-5-116, 3-5-311, 3-5-312; Const., VII, 4; VII, 6; Title 25, chapter 19, M.U.Dist.Crt.Rule 11
Judgment book, 3-5-507; Title 25, chapter 19, M.U.Dist.Crt.Rule 11
Judgment liens, See **Lien of judgment**
Judgment on the pleadings, Title 25, chapter 20, M.R.Civ.P., Rules 12(c), 12(d), 12(h)
Judicial record, See **EVIDENCE**
Jury's interrogatories, consistency with, Title 25, chapter 20, M.R.Civ.P., Rule 49(b)
Justices' courts, See **JUSTICES' COURTS**
Lapse and renewal, 25-13-102
Leases, default, 30-2A-501, 30-2A-529
Lien of judgment
- applicability of laws, 15-1-701, 15-1-704, 15-16-401, 71-3-1504, See also **LIENS**, specific tax area
- attorneys at law, upon client's cause of action or counterclaim, 37-61-420
- criminal judgment, 46-18-601
- death of party, effect, 25-9-103
- distraint, warrant for, 15-1-701, 15-1-704, 72-16-432
- docketing to effect, 7-4-2613, 25-9-301 — 25-9-303, 25-13-305
- exemption, 25-13-713
- extent, 25-9-301 — 25-9-303
- federal judgment, 25-9-303
- filing of docket to effect, 7-4-2613, 25-9-301 — 25-9-303, 25-13-305
- justice's court, 25-31-914

JUDGMENTS AND DECREES (Continued)
Lien of judgment (Continued)

- priority, 71-3-1114
- railroad property, against, 69-14-555
- redemption when property sold on execution, 25-13-801, See also **EXECUTION, Redemption**
- revival of judgment, 25-13-713
- secured party, relation back of lien of, 30-9-501
- state, action upon bonds or obligations, 2-9-528
- utilities, regulated — fees, penalties, and interest due as lien — enforcement as, 69-1-227

Limited liability company members, liability, 35-8-304
Married person, against, 25-9-102
Matter of law, judgment as, Title 25, chapter 20, M.R.Civ.P., Rules 50, 52(c)
Medical treatment, future, 25-9-401 — 25-9-406
Merits, to be on, 25-9-101
Mistake, See **Defect**
Motor carriers, arising from negligent operation, 69-12-402
Motor vehicle dealers and wholesalers, unlawful conduct, 61-4-101
Motor vehicle financial responsibility, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Financial responsibility**
Multiple claims, Title 25, chapter 20, M.R.Civ.P., Rules 13(i), 54(b), 62(h)
Multiple plaintiffs and defendants

- determination of rights, 25-9-201; Title 25, chapter 20, M.R.Civ.P., Rule 54(b), See also **Joint debtors**
- joinder of defendants not served, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- justices' and city courts, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21B

Municipal court, in, 25-30-101, 25-30-106
Municipalities, manner of payment, 7-6-4122, 7-6-4453
Negotiable instruments

- confession of, 28-2-709, 30-3-104
- default, 28-2-709
- enforcement of lost, destroyed, or stolen instrument, 30-3-309
- guarantor, obligation when, 30-3-415

New trials, effect, Title 25, chapter 20, M.R.Civ.P., Rule 59(a), See **CIVIL PROCEDURE, New trial**
Nonprofit corporations

- creditor's claims, unsatisfied — effect, 35-2-518, 35-2-728
- directors, indemnification or violation of duty, 35-2-423, 35-2-446
- name of other corporation, for use, 35-2-305

Offer of, Title 25, chapter 20, M.R.Civ.P., Rule 68, See also **CIVIL PROCEDURE, Compromise**

- service, Title 25, chapter 20, M.R.Civ.P., Rule 5(a), See **CIVIL PROCEDURE, Service of papers not process**

Parking commissions, against, 7-14-4666
Partnerships, effect against, 25-5-104, 35-10-312
Periodic payment, future damages, 25-9-401 — 25-9-406
Pleadings, judgment on the, Title 25, chapter 20, M.R.Civ.P., Rules 12(c), 12(d), 12(h)
Pleadings, relation to, See **PLEADINGS**
Postsecondary educational institutions, against, 20-30-305
Power of attorney, statutory — authority, 72-31-232
Prejudgment interest, 27-1-210, See also **Interest on**
Presumption created by, 26-1-601, 26-3-205
Principal debtors, designation, 25-9-202
Proceedings supplementary to and in aid of judgment, applicability of laws, Title 25, chapter 20, M.R.Civ.P., Rule 69

JUDGMENTS AND DECREES (Continued)

Property
  perishable, appeal of judgment directing sale, Title 25, chapter 21, M.R.App.P., Rule 7
  real
    change of venue, transmittal of judgment, 25-2-206
    death of party, effect, 25-9-103
    defect in judgment, validation, 25-9-105
    recording, 7-4-2613, 70-21-201, 70-21-205, 70-21-206, 70-21-306, See also **DEEDS AND CONVEYANCES, Recording of transaction**
    trusts, actions or proceedings, 72-36-206
  specific acts, judgment for, Title 25, chapter 20, M.R.Civ.P., Rule 70
  title, vesting, Title 25, chapter 20, M.R.Civ.P., Rule 70
Publication, effect of judgment when service by, 25-3-505
Publication of decree, frequency, 25-3-502, 25-3-503
Purchase of judgment unlawful when, 3-1-606
Real estate appraisers, 37-54-402
Real estate brokers and salespersons, unsatisfied judgments against, Title 37, chapter 51, See **REAL ESTATE BROKERS AND SALESPERSONS, Recovery account**
Receivers to implement, 27-20-102
Reference of action, 25-9-104
Relief from judgment
  city court, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 22A
  default, Title 25, chapter 20, M.R.Civ.P., Rule 55(c)
  extension of time, Title 25, chapter 20, M.R.Civ.P., Rule 6(b)
  grounds for, 26-3-105, 26-3-205; Title 25, chapter 20, M.R.Civ.P., Rule 60(b)
  justice's court, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 22A
  motion for, Title 25, chapter 20, M.R.Civ.P., Rules 60(b), 60(c)
  stay of execution pending appeal, Title 25, chapter 21, M.R.App.P., Rule 7
  stay of proceedings, Title 25, chapter 20, M.R.Civ.P., Rule 62(b)
Relief granted to equal party's entitlement, Title 25, chapter 20, M.R.Civ.P., Rule 54(c)
Renewal, 25-13-102
Reopening, foreign judgments — status, 25-9-503
Representative, against when counterclaim, 25-4-402
Res judicata, Title 25, chapter 20, M.R.Civ.P., Rule 8(c); Title 26, chapter 3
Restitution, 46-18-247; Title 25, chapter 21, M.R.App.P., Rule 15
Review, 25-12-101, 46-20-101, See **APPEALS, CIVIL; APPEALS, CRIMINAL**
Revival of judgment, 25-13-713
Satisfaction of judgment
  acknowledgment, 3-1-404, 3-1-405, 25-9-311, 37-61-401
  damages, future — periodic payment, purchase of approved annuity, 25-9-403
  docketing, 25-9-311
  foreign judgments, status, 25-9-503
  joint debtors, liability, See **Joint debtors**
  lien extinguished by, 25-9-301 — 25-9-303
  taxing units, nonapplicability of limitation on amount of taxes levied, 15-10-412
  trusts, petition by judgment creditor, 72-33-302
  voluntary partial payments, effect, 26-1-706
School districts, against, 2-9-316, 20-9-161, 20-9-403, 20-9-435, 20-9-471
Security for judgment, 25-9-505, 27-18-201
Separate trials, Title 25, chapter 20, M.R.Civ.P., Rule 13(i)
Shoplifting, assignment of judgment, 27-1-718
Small claims court, See **SMALL CLAIMS COURT, DISTRICT COURT; SMALL CLAIMS COURT, JUSTICES' COURTS**
Special improvement districts, validity of proceedings, 7-12-4256, 7-12-4257
Specific acts, Title 25, chapter 20, M.R.Civ.P., Rule 70
Spouse, against, 25-9-102

JUDGMENTS AND DECREES (Continued)

Statute of limitation for actions upon, 27-2-201
Stay of execution, See **APPEALS, CIVIL; APPEALS, CRIMINAL; EXECUTION**
Stay of proceedings to enforce
- grounds, Title 25, chapter 20, M.R.Civ.P., Rule 62(b)
- injunction pending appeal, effect, Title 25, chapter 20, M.R.Civ.P., Rules 62(c), 62(g)
- multiple claims, stay pending completion of adjudication, Title 25, chapter 20, M.R.Civ.P., Rule 62(h)
- security
  - adverse party, for, Title 25, chapter 20, M.R.Civ.P., Rules 62(b), 62(c)
  - waiver, Title 25, chapter 20, M.R.Civ.P., Rule 62(e)
- state government, in favor of, Title 25, chapter 20, M.R.Civ.P., Rule 62(e)
- supreme court power not limited, Title 25, chapter 20, M.R.Civ.P., Rule 62(g)

Submission of controversy without action, upon, 27-7-102 — 27-7-104
Summary judgment
- affidavits, Title 25, chapter 20, M.R.Civ.P., Rules 56(a), 56(b), 56(c), 56(e), 56(f), 56(g)
- claimant, motion by, Title 25, chapter 20, M.R.Civ.P., Rule 56(a)
- contempt, Title 25, chapter 20, M.R.Civ.P., Rule 56(g)
- defendant, motion by, Title 25, chapter 20, M.R.Civ.P., Rule 56(b)
- dismissal, notice before motion for, Title 25, chapter 20, M.R.Civ.P., Rule 41(a)
- findings of fact unnecessary, Title 25, chapter 20, M.R.Civ.P., Rule 52(a)
- good faith controversy, Title 25, chapter 20, M.R.Civ.P., Rule 56(d)
- hearing, Title 25, chapter 20, M.R.Civ.P., Rule 56(d)
- issuance, Title 25, chapter 20, M.R.Civ.P., Rules 56(c), 56(d)
- judgment on the pleadings, applicability of laws, Title 25, chapter 20, M.R.Civ.P., Rule 12(c)
- motion, Title 25, chapter 20, M.R.Civ.P., Rule 56(c)
- partial adjudication, Title 25, chapter 20, M.R.Civ.P., Rule 56(d)
- rules of evidence inapplicable, Title 26, chapter 10, M.R.Ev., Rule 101

Sureties, 25-9-202, 26-3-104, 28-11-404
Tax liens, applicability of laws, 15-1-701, 15-1-704, 15-16-401, See also **LIENS**, specific tax area
Territorial extent, 3-5-312; Const., VII, 4
Third-party claims, Title 25, chapter 20, M.R.Civ.P., Rule 14(a)
Timeshare sales violations, recovery of interest in property, 37-53-505
Trusts
- created or determined by, 72-1-103, 72-33-108
- declaratory judgments, 27-8-204
- enforcement, 72-33-301 — 72-33-303
- interest or measure of liability for breach of trust, 72-34-509
- real property actions or proceedings, 72-36-206
- recording, 72-34-206

Unknown parties defendant, effect of judgment, 25-3-505
Vacating, foreign judgments — status, 25-9-503
Vesting title, Title 25, chapter 20, M.R.Civ.P., Rule 70
Workers' compensation, payments due, 39-71-506
Youth court, 41-5-106, 41-5-523, 41-5-532, 41-5-533, 45-5-624

JUDICIAL BRANCH
See also **COURTS; JUDGES AND JUSTICES**
Appropriations
- claims for disbursements, 17-8-202
- general fund spending reductions, 17-7-140
- nongeneral fund money, expenditure first, 17-2-108

Audits, Title 5, chapter 13
Budget and budget amendments, Title 17, chapter 7

JUDICIAL BRANCH (Continued)

Communications systems, rules, 2-17-302
Constitutional provisions, Const., VII
Contracts, public, 18-1-101, 18-4-123, 18-7-302
Criminal justice information accuracy, rulemaking, 44-5-213
Data and information technology resources, security, 3-2-605
Electronic information, public access, 2-6-110
Employees, 2-18-103, 2-18-701, 2-18-1101, See also **PUBLIC OFFICERS OR EMPLOYEES**, generally
Employment preference to veterans and handicapped persons, Title 39, chapters 29 and 30
Gasohol, state vehicles — use requirements, 2-17-414
Indian reservation residents, hiring preference, 2-18-111
Printing provisions, 18-7-302
Privatization of state programs, Title 2, chapter 8, part 3
Procurement provisions, 18-4-123
Public participation in government, exception, 2-3-102
Records management and preservation, 2-6-203, 22-3-203
State building energy conservation, Title 90, chapter 4, part 6
Statewide classification and pay plans, 2-18-103

JUDICIAL NOMINATION COMMISSION, Title 3, chapter 1, part 10
See **JUDGES AND JUSTICES**

JUDICIAL NOTICE OF FOREIGN LAW ACT, UNIFORM, Title 26, chapter 10, M.R.Ev., Rule 202
See **EVIDENCE, Judicial notice**

JUDICIAL STANDARDS COMMISSION, Const., VII, 11; Title 3, chapter 1, part 11
See **JUDGES AND JUSTICES**

JUNK DEALERS
See **PAWNBROKERS AND JUNK DEALERS**

JUNK VEHICLES
See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Graveyards and wrecking facilities; Junk vehicles**

JUNKYARDS
Agreements with United States, 75-15-204
Definitions, 75-15-203
Injunction, 75-15-205
Interpretation of provisions, 75-15-202
Licenses, 49-3-204, 75-15-211, 75-15-214, 75-15-215
Location, restrictions, 75-15-215
Nuisances, as, 75-15-201, 75-15-205
Purpose of provisions, 75-15-201
Relocation, removal, or disposal, 75-15-223
Rules, 75-15-215, 75-15-222, 75-15-223
Screening, 75-15-214, 75-15-215, 75-15-222, 75-15-223

JURIES AND JURORS
Absence of jury, 25-7-303, 25-7-401, 46-16-505, See also **Deliberations**
Absent jurors, See **Excuse of juror**
Additional jurors, 3-15-506, 25-7-206, 25-7-304; Title 25, chapter 20, M.R.Civ.P., Rule 47(b)
Advisory jury, Title 25, chapter 20, M.R.Civ.P., Rule 39(c)
Affidavits, 3-15-313, 3-15-505, 25-11-102; Title 26, chapter 10, M.R.Ev., Rule 606

JURIES AND JURORS (Continued)

Alternate jurors, Title 25, chapter 20, M.R.Civ.P., Rules 47(b), 47(c)
  criminal trial, 46-16-118
  grand jury, 46-11-301, 46-11-302
  illness of juror, 25-7-304; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18C
Approval of jurors, 25-7-205
Arrest or attachment of juror to compel attendance, 3-15-321
Attendance of jurors
  failure to attend, 3-1-501, 3-15-321, 25-7-206
  fees, 3-15-201, 3-15-203, See also **Fees**
  record of, 3-5-510
  required, 25-7-206
  summoning of jurors, See **Grand jury; Limited jurisdiction, juries in courts of; Summoning of jurors**
Ballots for use in selection of trial jury
  box for, 3-15-507
  drawing, 25-7-202 — 25-7-204, 25-7-206
  grand jury, for, 3-15-602
  return, 25-7-208, 25-7-209
  segregation when juror sworn, 25-7-203, 25-7-208
Bribery of, 45-7-101
Capsules, See **Ballots for use in selection of trial jury**
Challenges for cause, 25-7-221
  criminal proceedings, 46-16-115, 46-16-117
  grounds, 25-7-223
  procedure, Title 25, chapter 20, M.R.Civ.P., Rule 47(b)
  referees, applicability of laws, 25-7-702
  trial, Title 25, chapter 20, M.R.Civ.P., Rule 47(a)
Challenges generally, 25-7-221
  additional jurors subject to same rules, 25-7-206
  alternate jurors, Title 25, chapter 20, M.R.Civ.P., Rule 47(c)
  grand jury, to, 46-11-302
  panel or array, to, 25-7-221, 25-7-222
Challenges, peremptory, 25-7-221
  alternate jurors, Title 25, chapter 20, M.R.Civ.P., Rules 47(b), 47(c)
  criminal proceedings, 46-16-116 — 46-16-118
  procedure, 25-7-224; Title 25, chapter 20, M.R.Civ.P., Rule 47(b)
Challenges to panel or array, 25-7-221, 25-7-222
  criminal proceedings, 46-16-112, 46-16-117
  grand jury, to, 46-11-302
Charge of jury, 25-7-301, 46-16-401, 46-16-504, 46-16-607, See also **CIVIL PROCEDURE, Jury instructions**
City courts, See **Limited jurisdiction, juries in courts of**
Commitment proceedings, 53-21-120, 53-21-125, 53-21-126, 53-21-128
Communication with
  contempt when, 3-1-501
  criminal charges, 45-7-102
  criminal proceedings, 46-16-501 — 46-16-503
  prohibited, 25-7-402, 25-7-403
Compensation, See **Fees**
Competency of jurors, See **Qualifications of jurors**
Computer data base for selection of jurors, 3-15-404, 3-15-503, 3-15-506, 3-15-601, 3-15-602
Conflict of interest of juror, grounds for challenge, 25-7-223
Consent, jury trial by, 25-7-102; Title 25, chapter 20, M.R.Civ.P., Rule 39(c)
Contempt of court when, 3-1-501, 45-7-309

JURIES AND JURORS (Continued)

Coroner's jury, See **Inquest, juries of**
Costs of impaneling after settlement, assessment, 3-15-205
Counties, new — jury lists for, See **COUNTIES, New, creation generally**
Court order for, Title 25, chapter 20, M.R.Civ.P., Rule 39(b)
Criminal contempt, 45-7-309
Criminal proceedings, See also **CRIMINAL PROCEDURE**, **Trial**
  absence of jury, 46-16-502, 46-16-505
  admonition to, 46-16-501
  alternate jurors, 46-16-118
  challenges for cause, 46-16-115, 46-16-117
  challenges, peremptory, 46-16-116 — 46-16-118
  challenges to panel, 46-16-112, 46-16-117
  charge of jury, 46-16-401, 46-16-504, 46-16-607
  city courts, See **Limited jurisdiction, juries in courts of**
  communication with, 46-16-501 — 46-16-503
  deliberations, 46-16-503, 46-16-504, 46-16-604
  discharge of panel, 46-16-112, 46-16-604
  examination of jurors, 46-11-503, 46-16-114
  excuses from jury duty, 46-16-111, 46-16-115
  fees, 3-5-901, 3-5-903, 46-11-319, 46-18-232
  formation, 46-13-203, 46-16-111, 46-16-112, 46-17-202
  grand jury, See **Grand jury**
  indictment, See **CRIMINAL PROCEDURE**, **Grand jury**
  inquest, See **Inquest, juries of**
  instructions to jury, See **CIVIL PROCEDURE**, **Jury instructions**
  justices' courts, See **Limited jurisdiction, juries in courts of**
  municipal court, 46-17-202, 46-17-403
  number, 3-15-106, 46-16-110, 46-16-116, 46-17-201; Const., II, 26
  poll of jury, 46-16-604
  qualifications of jurors, 46-16-111
  right to trial by jury, 46-12-210, 46-16-110, 46-17-201; Const., II, 24; II, 26
  sentencing exceptions, exclusion from hearing, 46-18-223
  separation of jury, 46-16-501
  sequestered, order to remain, 46-16-501
  verdict, See **CRIMINAL PROCEDURE**
  views of premises or property, 46-16-502
  waiver of jury trial, 46-16-103, 46-16-110, 46-17-201; Const., II, 26
Definitions, 1-1-202, 3-15-101 — 3-15-105, 45-2-101
Deliberations, 25-7-403
  alternate juror, call during, 46-16-118; Title 25, chapter 20, M.R.Civ.P., Rule 47(c)
  communication not permitted, 25-7-403, 46-16-501, See also **Communication with**
  court's activity during, 25-7-303, 46-16-505
  criminal proceedings, 46-16-118, 46-16-503 — 46-16-505, 46-16-604
  information requests, 25-7-405, 46-16-503
  papers which may be taken, 25-7-404, 46-16-504
  presumption on all issues, 26-1-602
Demand for jury trial, See **Right to jury trial**
Designation of action, Title 25, chapter 20, M.R.Civ.P., Rule 39(a)
Discharge from service as juror
  alternate jurors, 46-16-118; Title 25, chapter 20, M.R.Civ.P., Rule 47(c)
  ballots, return to jury box, 25-7-208
  confinement of deliberating jury until, 25-7-403
  excuse, 3-15-312
  illness of juror, 25-7-304; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18C
  incompetence, 3-15-312

JURIES AND JURORS (Continued)
Discharge from service as juror (Continued)
- nonjudicial day, 3-1-302
- retrial, 25-7-305
- verdict, upon agreement on, 25-7-501

Disqualification of juror, 3-15-303; Title 25, chapter 20, M.R.Civ.P., Rule 47(c)
District court jury, See **Selection of trial jurors to serve district court for year**; See also this subject heading generally
Drawing of trial jury, 25-7-201, 25-7-204, 25-7-206, See also **Selection of trial jurors to serve district court for year**
- additional jurors, 25-7-206; Title 25, chapter 20, M.R.Civ.P., Rule 47(b)
- alternate jurors, 46-16-118; Title 25, chapter 20, M.R.Civ.P., Rule 47(c)
- capsules, See **Ballots for use in selection of trial jury**
- challenges, 25-7-222, See also **Challenges** entries
- criminal proceedings, 46-13-203, 46-16-112, 46-16-118
- defect, 25-7-222
- examination, See **Examination**
- grand jury, See **Grand jury**
- limited jurisdiction, in courts of, 3-15-704
- mandamus, upon writ of, 27-26-303
- quo warranto proceedings, 27-28-207

Embracery, See **Influence on jury, improper**
Evidence, powers generally, See **EVIDENCE, Jury**
Examination, Title 25, chapter 19, M.U.Dist.Crt.Rule 9; Title 25, chapter 20, M.R.Civ.P., Rules 47(a), 47(b)
- alternate jurors, Title 25, chapter 20, M.R.Civ.P., Rule 47(c)
- criminal proceedings, 46-11-503, 46-16-114

Exclusion from court proceedings
- confessions, hearings on admissibility, 46-13-301; Title 26, chapter 10, M.R.Ev., Rule 104
- death penalty, sentencing hearing, 46-18-301
- instructions to jury, settlement on, 46-16-410
- juror as witness, objection to, Title 26, chapter 10, M.R.Ev., Rule 606
- sentencing hearing, 46-18-223, 46-18-301
- sexual intercourse without consent, hearings on admissibility of evidence, 45-5-511
- witness called by court, objections, Title 26, chapter 10, M.R.Ev., Rule 614

Excuse of juror, 3-15-313
- affidavit to claim, 3-15-313, 3-15-505
- ballot, return to box, 25-7-209
- criminal proceedings, 46-16-111, 46-16-115
- demanding trial service, 3-15-501
- discharge from service as juror, 3-15-312
- fees, 3-15-201
- forfeiture, 3-15-203
- “one-day or one-trial”, 3-15-501
- public employees, 2-18-619

Exemptions from jury duty, police, 7-32-4115
Expenses, See **Fees**
Fees
- attendance in
  - courts not of record, 3-15-203
  - courts of record, 3-15-201
  - grand jury, 3-15-201
  - inquest, jury of, 3-15-203
  - trial jury, 3-15-201
- city courts, how taxed, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 17
- defendant, payment by, 3-15-205, 46-18-232
- forfeiture, 3-15-203

JURIES AND JURORS (Continued)
Fees (Continued)

- justices' courts, how taxed, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 17
- parties, assessment to when jury impaneled after settlement, 3-15-205
- public employees, 2-18-619
- time compensated for, calculation, 3-5-510
- travel expenses, 2-18-503, 2-18-504, 3-5-510, 3-15-201, 3-15-203, 3-15-204

Fine for failure to attend, 3-15-321, 25-7-206
Foreman's duties, 25-7-501, 46-16-603, See also **Grand jury**
Grand jury, 3-15-102, 3-15-103

- alternate jurors, 46-11-301, 46-11-302
- capsules, use, 3-15-602
- challenges to individual jurors, 46-11-302
- challenges to panel, 46-11-302
- charge, 46-11-311
- closed hearing, 46-11-307
- composition, 3-15-602, 46-11-301
- county treasurer's books and records, inspection, 7-6-2114
- discharge of jurors, 46-11-302, 46-11-318
- district judge, order for drawing or summoning, 3-15-601, 46-11-301; Const., II, 20
- drawing, 3-15-601, 3-15-602, 3-15-604, 46-11-301; Const., II, 20
- duties, 46-11-310
- excuse of juror, 46-11-302
- fees, 3-15-201, 46-11-319, See also **Fees**
- foreman
  - appointment, 46-11-303
  - indictment, duties, 46-11-303, 46-11-331, 46-11-332, 46-11-401
  - record kept by, 46-11-303
  - subpoena of witnesses, 46-11-313
  - verdict reported by, 46-11-302, 46-11-303
- impaneling, 3-15-603
- indictment, See **CRIMINAL PROCEDURE, Grand jury**
- multijudge district, drawing and summoning in, 3-15-604
- number of jurors comprising, 3-15-103, 3-15-601, 3-15-602; Const., II, 20
- procedures, See **CRIMINAL PROCEDURE, Grand jury**
- summoning, 3-15-601, 3-15-602, 3-15-604, 46-11-301; Const., II, 20
- trial jury, service on grand jury grounds for challenge, 46-16-115
- who may be present, 46-11-308

Illness of juror, discharge and alternate, 25-7-304; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18C
Impaneling, 3-15-509, 25-7-201; Title 25, chapter 20, M.R.Civ.P., Rule 47(b)

- capsules, See **Ballots for use in selection of trial jury**
- challenges, See **Challenges** entries
- criminal proceedings, trial jury, 46-13-203, 46-16-111, 46-16-112
- drawing, See **Drawing of trial jury**
- examination, See **Examination**
- excuse, See **Excuse of juror**
- grand jury, 3-15-603
- inquest, juries of, 3-15-802
- limited jurisdiction, juries in courts of, 3-15-705; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18B
- small claims court, 25-34-301

Indictment by, See **CRIMINAL PROCEDURE, Grand jury**
Inferences, 26-1-501, See **EVIDENCE, Inferences**
Inferior courts, juries in, See **Limited jurisdiction, juries in courts of**
Influence on jury, improper

- bribery, 45-7-101

JURIES AND JURORS (Continued)
Influence on jury, improper (Continued)

  contempt, as, 3-1-501
  criminal charges, 45-7-101, 45-7-102
  new trial, grounds for, 25-11-102
  witness, juror as, Title 26, chapter 10, M.R.Ev., Rule 606
Initial panel, Title 25, chapter 20, M.R.Civ.P., Rule 47(b)
Inquest, juries of, 3-15-102, 3-15-105, See also **CRIMINAL PROCEDURE, Inquests**
  fees, 3-15-203, See also **Fees**
  impaneling, 3-15-802
  instructions to, 46-4-202
  number, 46-4-202
  summoning, 3-15-801, 46-4-202
  swearing, 46-4-202
  trial jury, service on inquest jury grounds for challenge, 46-16-115
  verdict, 46-4-205
  viewing body and death scene, 46-4-205
Instructions to jury, See **CIVIL PROCEDURE, Jury instructions**
Interest of juror in action, grounds for challenge, 25-7-223
Issues of fact, decision by, 3-15-101, 25-7-103, 25-7-302, 26-1-202
Issues of law, determination when, 26-1-201; Const., II, 7
Judges at chambers, power to obtain jury, 3-5-311
Judges of courts of limited jurisdiction, summoning of jurors, 3-15-701
Jury box, 3-15-404, 3-15-503, 3-15-601, 25-7-202
Jury commissioner, 3-15-502
  additional jurors, drawing and notice, 3-15-506
  computer data base, entry of jury list, 3-15-404
  deputy, 3-15-502
  discharge of jurors by, 3-15-312, 3-15-313
  drawing of jurors by, 3-15-503, 3-15-506, 25-7-202, 25-7-204, 25-7-206
  grand jury, summoning of, 3-15-601, 3-15-602
  jury box, preparation and keeping, 3-15-404
Jury duty, selection for, See **Drawing of trial jury; Selection of trial jurors to serve district court for year**; See also this subject heading generally
Jury lists
  appearance of names, limitation, 3-15-402
  clerk of district court, to, 3-15-403, 46-17-202
  compilation, 3-15-401
  computer data base, entry, 3-15-404
  county coroner, to, 46-4-202
  criminal proceedings in justices', city, and municipal courts, 46-17-202
  new counties, for, See **COUNTIES, New, creation generally**
  new list, effect, 3-15-411
  numbering of names on, 3-15-402
  public availability, 3-15-503, 3-15-601
  selection of persons, 3-15-402, See also **Qualifications of jurors**
  use, 3-15-404
Justices' courts, See **Limited jurisdiction, juries in courts of; JUSTICES' COURTS, Jury**
Kinds of juries, 3-15-102
Limited jurisdiction, juries in courts of
  alternate jurors, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18C
  bias of jury, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
  call of jurors summoned, 3-15-704
  city courts, specific provisions, See **CITY COURTS**
  criminal proceedings, 46-17-201, 46-17-202, 46-17-403
  discharge of juror, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18C

JURIES AND JURORS (Continued)
Limited jurisdiction, juries in courts of (Continued)

- docket entries, 3-10-501
- drawing, 3-15-704, 46-17-202
- fees, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 17
- illness of juror, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18C
- impaneling, 3-15-705, 25-34-301; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 18B, 18C
- justices' courts, special provisions, See **JUSTICES' COURTS**
- list of jurors, 46-17-202
- number of jurors, 3-15-107, 3-15-704, 46-17-201; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18A
- right to jury trial in
  - city court, 46-17-201; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 15A, 21A
  - justices' courts, 25-31-803, 46-17-201; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 15A, 21A
  - municipal court, 25-30-105, 46-17-403
  - small claims court, 25-34-301
- summoning, 3-15-701 — 3-15-703, 46-17-202
- verdict, prevention, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18D

Mandamus, upon writ of, 27-26-303
Mileage, See **Fees**
Misconduct, 3-1-501, 25-11-102, See also **Communication with**
Municipal courts, See **Limited jurisdiction, juries in courts of**
Neglect of juror in attendance, 3-1-501, 25-7-206
New jury while another is impaneled, 25-7-203, 25-7-304
Number of jurors

- city court, 46-17-201; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18A
- criminal trial jury, 3-15-106, 46-16-110, 46-16-116, 46-17-201; Const., II, 26
- grand jury, 3-15-103, 3-15-601, 3-15-602; Const., II, 20
- justices' courts, 3-15-107, 46-17-201; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18A
- limited jurisdiction, juries in courts of, 3-15-704, 46-17-201
- trial jury, 3-15-106, 25-7-205; Const., II, 26; Title 25, chapter 20, M.R.Civ.P., Rules 47(b), 48
- writing required, 46-16-110

Oath, 25-7-205, 25-7-207

- alternate jurors, 25-7-304, 46-16-118; Title 25, chapter 20, M.R.Civ.P., Rule 47(c)
- ballots, 25-7-208, 25-7-209
- grand jury, 3-15-103, 46-11-302
- inquest, jury of, 46-4-202
- trial jury, 3-15-104

"One-day or one-trial" basis, 3-15-501
Order for trial, Title 25, chapter 20, M.R.Civ.P., Rule 39(b)
Order of trial, 25-7-301
Peremptory challenges, See **Challenges, peremptory**
Polling, 25-7-501, 46-16-604
Public employees as jurors, 2-18-604, 2-18-619
Qualifications of jurors

- alternate jurors, Title 25, chapter 20, M.R.Civ.P., Rule 47(c)
- city and town residents qualified when, 3-15-302
- county residents qualified when, 3-15-302
- criminal conviction, effect, 3-15-303
- criminal proceedings, for, 46-16-111
- lack, grounds for challenge, 25-7-223
- registered elector, juror to be, 3-15-301, 3-15-303

Questionnaire, completion by jurors, Title 25, chapter 19, M.U.Dist.Crt.Rule 9
Questions of fact, decision by, 3-15-101, 25-7-103, 25-7-302
Quo warranto proceedings, 27-28-207
Referral to jury by consent, 25-7-102; Title 25, chapter 20, M.R.Civ.P., Rule 39(c)

JURIES AND JURORS (Continued)

Retirement, See **Deliberations**
Right to jury trial
- agricultural chemical ground water protection administrative civil penalty, appeal of assessment, 80-15-412
- city court, 46-17-201; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 15A, 21A
- commitment proceedings, 53-21-120, 53-21-125, 53-21-126, 53-21-128
- court order, Title 25, chapter 20, M.R.Civ.P., Rule 39(b)
- criminal proceedings, 46-12-210, 46-16-110, 46-17-201; Const., II, 24; II, 26
- declaratory judgment, effect of demand for, Title 25, chapter 20, M.R.Civ.P., Rule 57
- default judgment, in proceedings for, Title 25, chapter 20, M.R.Civ.P., Rule 55(b)
- demand of trial by right, Title 25, chapter 20, M.R.Civ.P., Rule 38(b); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 15B
  - designation of action, Title 25, chapter 20, M.R.Civ.P., Rule 39(a)
  - failure to demand, Title 25, chapter 20, M.R.Civ.P., Rules 38(d), 39(b); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 15C
  - issues, specification, Title 25, chapter 20, M.R.Civ.P., Rule 38(c); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 15B
  - withdrawal, Title 25, chapter 20, M.R.Civ.P., Rule 38(d)
  - youth court, 41-5-521
- estate and probate matters, 72-1-208
- guardianship proceedings, 72-5-315
- instructions to jury, failure to give as waiver of right, Title 25, chapter 20, M.R.Civ.P., Rule 49(a)
- justices' courts, 25-31-803, 46-17-201; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 15A, 21A
- municipal courts, 25-30-105, 46-17-403
- nonexistence of right, Title 25, chapter 20, M.R.Civ.P., Rule 39(a)
- parent-child legal relationship termination, no right to, 41-3-607
- reservation, Title 25, chapter 20, M.R.Civ.P., Rule 38(a)
- small claims court, district court, 25-34-301
- trusts, no jury, 72-35-107
- waiver of right, 3-5-115, 46-12-210, 46-16-103, 46-16-110, 46-17-201; Const., II, 26; Title 25, chapter 20, M.R.Civ.P., Rules 38(d), 49(a); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 15C
- youth court, 41-5-521

Selection of trial jurors to serve district court for year
- additional juries, 3-15-501
- additional jurors, 3-15-506, 25-7-206
- call of jurors, 3-15-507
- computer data base, 3-15-404, 3-15-503, 3-15-506, 3-15-601, 3-15-602
- district judge to draw names, 3-15-504
- drawing, manner of, 3-15-503
- frequency, 3-15-501
- geographical restrictions, 3-15-506
- judge to draw, 3-15-504
- jury box, 3-15-404, 3-15-503, 3-15-601, 25-7-202
- jury commissioner, duties, See **Jury commissioner**
- jury list, See **Jury lists**
- manner of drawing, 3-15-503
- multijudge district, drawing in, 3-15-504
- notice to selected jurors, 3-15-505
- order for, 3-15-501
- questionnaire, 3-15-505
- record required, 3-15-503
- term of service, 3-15-411

JURIES AND JURORS (Continued)

Separation of jury, admonition, 25-7-402, 46-16-501
Sequestered, order to remain, 46-16-501
Summoning of jurors
  additional, 3-15-506, 25-7-206
  defect, 25-7-222
  grand jury, See **Grand jury**
  inquest, jury of, 3-15-801
  limited jurisdiction, courts of, See **Limited jurisdiction, juries in courts of**
  manner, 3-15-505
  order, 3-15-501
  questionnaire, 3-15-505
Swearing of jury, See **Oath**
Term of service, 3-15-411, 3-15-503
Threats and other improper influence on, 45-7-102
Trial jury, 3-15-102, 3-15-104, See also this subject heading generally
  criminal proceedings, See **Criminal proceedings**
  fees, 3-15-201, See also **Fees**
  number of jurors comprising, 3-15-106, 25-7-205; Const., II, 26; Title 25, chapter 20, M.R.Civ.P., Rules 47(b), 48
  "one-day or one-trial" basis, 3-15-501
  selection, See **Ballots for use in selection of trial jury; Drawing of trial jury; Selection of trial jurors to serve district court for year**
Types of juries, 3-15-102
Unauthorized communications to, 45-7-102
Verdict, See CIVIL PROCEDURE; CRIMINAL PROCEDURE
Views of premises, 25-7-401, 46-16-502
Voir dire examination, 46-11-503; Title 25, chapter 19, M.U.Dist.Crt.Rule 9; Title 25, chapter 20, M.R.Civ.P., Rule 47(b); Title 25, chapter 24, M.U.R.J.C.C., Rule 20
Waiver of jury trial, 3-5-115, 41-5-521; Title 25, chapter 20, M.R.Civ.P., Rules 38(d), 49(a); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 15C
Witnesses
  credibility, jury exclusive judge, 26-1-302
  juror as, See **WITNESSES**
Youth court
  hearing without jury, 41-5-206
  jury trial when, 41-5-521

JURISDICTION
  See also specific court or subject matter; **CONFLICT OF LAWS**; **FOREIGN LAWS**; **SOVEREIGNTY**
Big Hole National Battlefield, 2-1-213, 2-1-214
Big Horn Canyon, 2-1-214
Blackfeet highway, 2-1-206
Cession, Title 2, chapter 1, part 2
Cities or towns, federal buildings within, 2-1-203
City courts, See **CITY COURTS**
Civil, See also **CIVIL PROCEDURE**
  criminal code, effect, 45-1-104
  implementation, 3-1-113; Const., VII, 1
Close pursuit, 46-6-411
Conflict of laws, See **CONFLICT OF LAWS**
Courts, exercise, 3-1-113, 26-1-602; Const., VII, 1, See also **CIVIL PROCEDURE, Jurisdiction of courts**; main categories for specific courts
Courts-martial, 10-1-408
Criminal offenses, See **CRIMINAL PROCEDURE**

JURISDICTION (Continued)

District courts, See **DISTRICT COURT JURISDICTION**
Extent, 2-1-102
Federal buildings, legislative jurisdiction, 2-1-203
Federal enclaves, in, 2-1-201
Federal lands, on, 2-1-205 — 2-1-208, 2-1-213 — 2-1-216
Foreign trade zones, 30-15-103
Forest lands, national, 2-1-210
Fort Harrison Veterans Center, 2-1-212
Fort Peck Dam territory, 2-1-209
Fort Union Trading Post, 2-1-214
Fuel Tax Agreement, International, 15-70-121, 15-70-122
Full faith and credit, See this main category generally; **EVIDENCE, Judicial records; JUDGMENTS AND DECREES, Foreign**
Glacier National Park, 2-1-205, 2-1-206
Grant-Kohrs National Historic Site, 2-1-214
Health care benefits, providers of — determination, Title 33, chapter 1, part 11, See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Jurisdiction of providers of health care benefits, determination**
Indian lands, on, See **INDIANS**
In rem proceedings, See **PROPERTY, REAL, Actions**
Judges, See main categories for specific judge or court
Justices' courts, See **JUSTICES' COURTS**
Juveniles, Interstate Compact on, 41-6-101
Long arm statutes, Title 25, chapter 20, M.R.Civ.P., Rule 4B, See **LONG ARM STATUTES**
Migratory bird reservations, 2-1-211
Military courts, 10-1-401, 10-1-403, 10-1-408
Military reservations, on, 2-1-204
Multistate Tax Compact, 15-1-601
Municipal courts, See **MUNICIPAL COURTS**
National forest lands, 2-1-210
National park purposes, lands dedicated to, 2-1-205 — 2-1-208, 2-1-213 — 2-1-216
Nonresident motorists, 25-3-601
Nonresidents, Title 25, chapter 20, M.R.Civ.P., Rule 4B, See **LONG ARM STATUTES**
Notaries public, 1-5-415
Offenses, See **CRIMINAL PROCEDURE**
Personal, See **CIVIL PROCEDURE, Jurisdiction of persons**
Placement of Children, Interstate Compact on the, 41-4-101
Planning boards, Title 76, chapter 1, part 5, See **PLANNING BOARDS, Jurisdictional area**
Realty Regulation, Board of, 76-4-1210
Retrocession, Title 2, chapter 1, part 2
State, Title 2, chapter 1
Subdivisions out-of-state, in-state sales, 76-4-1250
Subject, See **CIVIL PROCEDURE, Jurisdiction of subject**
Supreme court, See **SUPREME COURT**
Tactical incident assistance, 10-3-702, 10-3-703
Territorial extent, 2-1-102
Timeshare instruments designating jurisdiction outside state, void when, 37-53-306
Transfer of proceeding, 25-2-204
Uniform Transboundary Pollution Reciprocal Access Act, 75-16-103, See also **POLLUTION**
Yellowstone National Park, 2-1-207, 2-1-208

JURISDICTION TO DETERMINE JURISDICTION OF PROVIDERS OF HEALTH CARE BENEFITS ACT, Title 33, chapter 1, part 11
    See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Jurisdiction of providers of health care benefits, determination**

JURISPRUDENCE, MAXIMS OF, Title 1, chapter 3
    See **LAW, Maxims of jurisprudence**

JUSTICE AND CITY COURT RULES OF CIVIL PROCEDURE, Const., VII, 2; Title 25, chapter 23
    See generally **CITY COURTS; JUSTICES' COURTS**

JUSTICE, DEPARTMENT OF
    See also **EXECUTIVE BRANCH**, generally
Alcoholic beverages, investigations, Title 16, chapters 1 — 4, 6
Amusement games, inspections, 23-6-105
Arsonist, written notice of release from state facility, 53-1-104
Attorney general as department head, 2-15-2001
Boats, duties, Title 23, chapter 2, part 5
Carnival games, inspections, 23-6-105
Chemical abuse assessment special revenue account, 15-25-121
Cigarette tax enforcement, Title 16, chapter 11, part 1
Communications system, Title 44, chapter 2, part 3
Concealed weapons
    exemption from criminal provisions, 45-8-317
    permits to carry, forms by and copies to, 45-8-322
Confidential license plates and registration, Title 44, chapter 4, part 2
Counsel for indigent persons, expense, 46-8-201
County attorney
    salary, inclusion in department budget, 17-7-112
    training coordinator, position created, 44-4-101
    vacancy in office, certification of election or appointment and salary computation, 7-4-2502
County motor vehicle computer committee, allocation and representation on, 61-3-346
County motor vehicle computer system user advisory group, representation on, 61-3-345
Crime Control, Board of, See **CRIME CONTROL**
Crime victims compensation, supervision, Title 53, chapter 9, part 1
Criminal identification, state system, 44-2-201, 44-2-202, 44-2-205, 44-2-206
Criminal intelligence information section, Title 44, chapter 5, part 5
Criminal investigations
    agents and assisting personnel, 44-2-111, 44-2-113 — 44-2-116, 44-13-103
    expenses, 15-25-122, 44-12-206
    special funding, 44-13-101 — 44-13-103
Criminalistics, laboratory of, 44-3-214, 44-3-301 — 44-3-303
Criminal justice information, authority, Title 44, chapter 5
Divisions
    crime control, Title 53, chapter 9, part 1
    data processing, 61-3-345
    forensic sciences, 44-3-104, 46-4-123, 61-8-404
    highway traffic safety, 61-13-105
    law enforcement services, consolidation of offices outside helena — exemption, 2-17-101
    motor vehicle, 2-17-101, 61-3-342, 61-3-345, 61-11-102, 81-5-104
Driver rehabilitation and improvement program, establishment, 61-2-302
Drivers' licenses, duties, Title 61, chapter 5; Title 61, chapter 8, part 8
Drug abuse resistance education trust fund account, use restrictions, 44-2-705

JUSTICE, DEPARTMENT OF (Continued)

Drugs, authority, 15-25-122, 44-2-115, 44-12-206, 44-13-103, 50-32-401 — 50-32-404
Emergency medical services, authority, 50-6-104, 50-6-203
Employees
  civilian inspectors as peace officers, 44-1-1005
  lottery, state — participation in, 23-5-114
  subpoenas, compensation when answering, 2-18-626
Fingerprinting by, 44-5-202
Fire marshal, 2-15-2005
Fire prevention and investigation, duties, Title 50, chapter 63
Forensic science, duties, 61-8-404, 61-8-405; Title 44, chapter 3
Gambling, regulation, Title 23, chapter 5, parts 1 — 6
Gaming Advisory Council, 2-15-2021
Governor, transportation provided to, 44-1-104
Hearing examiners, referrals to driver improvement program, 61-2-302
Highway patrol officers, duties, 19-6-612; Title 44, chapter 1
Highway traffic safety program, 2-15-2007
Indigence, determination — form for financial statement, 25-10-404
Informants, payment, 44-13-103
Laboratories, operation, 44-3-301, 61-8-404
Law enforcement academy, duties, 44-10-201 — 44-10-203
Law enforcement communications system, 2-17-306; Title 44, chapter 2, part 3
License plates, Title 44, chapter 4, part 2; Title 61, chapters 3 and 4
Machine guns, registration duties, 45-8-309
Military Affairs, Department of — cooperation with, in emergency, 10-3-107
Missing children information program, Title 44, chapter 2, part 5
Missing persons, duties, 44-2-401, 44-2-402
Motor carrier safety standards, cooperation in enforcement, 44-1-1005
Motorcycle Safety Advisory Committee, representation on, 20-7-511
Motorcycles, duties, 20-7-510, 61-9-417
Motor fuel marketing, retail — below-cost sale violations, 30-14-806
Motor vehicles, authority and responsibilities, Title 61
National Crime Information Center (NCIC), 44-2-503, 44-2-505, 61-3-106
Off-highway vehicles, duties, 61-3-345, 61-3-347; Title 23, chapter 2, part 8
Photography by, 44-5-202
Public assistance investigations, authority, Title 52, chapter 2, part 5
School bus inspections, 61-9-502
Snowmobiles, duties, Title 23, chapter 2, part 6
Special law enforcement assistance account, 44-13-101 — 44-13-103
Supervision, Const., VI, 8
Taxation
  indian tribes, motor fuels taxes — cooperative agreements, negotiating team representation, 15-70-234
  inheritance tax laws, enforcement, 72-16-201, 72-16-208, 72-16-210
Teletypewriter communications system, Title 44, chapter 2, part 3
Traffic safety program, 2-15-2007, 61-13-105; Title 61, chapter 2, part 1
Undercover agents, 44-13-103
Victims of crime, compensation — supervision, Title 53, chapter 9, part 1
Voter lists supplied by, 13-38-103
Workers' compensation fraud investigation and prosecution, duties
  establishment, 2-15-2015, 39-71-211
  expenditure accounting, 39-71-211
  funding, 39-71-316
  legal advisers, 39-71-206
Youth court grants, funding for, 15-25-122

JUSTICES' COURTS
  See also generally **COURTS; JUDGES AND JUSTICES**
Acknowledgments
  justice's power to take and certify, 3-1-404, 3-1-405
  service of papers not process, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 5C
Acting justice, See **Justices of the peace**
"Action" defined, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 2
Additional courts when, 3-10-101; Const., VII, 5
Adjournment, See also **Postponement; COURTS**
  docketing, 3-10-501, 3-10-1005
  time limits, 25-31-702, 25-31-709
Affidavits
  interpleader, 25-31-119
  justice's power to take and certify, 3-1-404
  service of process, of inquiry for personal service, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  venue, change of, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
Answer, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 7, 7B, See also **Pleadings**
  amended pleadings, to, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 8B, 8C
  arrest, prejudgment, 27-16-1006
  counterclaim, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 7B, 7C
  failure to answer, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4C
  guardian, appointment before, 25-31-602
  new matter in, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 7D
  time for, 25-31-406; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 3C, 4C, 8B
Appeals to district court, See also **APPEALS, CIVIL, Limited jurisdiction, from courts of; APPEALS, CRIMINAL**
  applicability of laws, 25-35-605; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 24
  bond, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 24
  criminal proceedings, 46-17-203, 46-17-311
  default judgment, 25-33-303
  docketing, 3-10-501
  fees, 25-31-112
  jurisdiction, 3-5-303, 25-35-803, 46-17-203, 46-17-311; Const., VII, 4
  question of law, 25-33-302, 25-33-303
  small claims court, from, 25-35-605, 25-35-803, See also **SMALL CLAIMS COURT, JUSTICES' COURTS**
  undertaking on appeal, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 24
  venue, when improper, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
Appearance of parties
  arrest, prejudgment, 27-16-1001, 27-16-1003
  docketing, 3-10-501
  failure to appear, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 14B, 15C, 16A, 16B, 21A
  fee, 25-31-112
  incompetent persons, 25-31-602
  jurisdiction acquired by, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4B
  motor vehicle violations, 61-12-208
  pretrial conference, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 14A, 14B; Title 25, chapter 24, M.U.R.J.C.C., Rule 15
  pro se appearance, 25-31-601
  small claims division, See **SMALL CLAIMS COURT, JUSTICES' COURTS**
  summons, directions in, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4C
  time for, 25-31-406; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4C; Title 25, chapter 24, M.U.R.J.C.C., Rule 14

JUSTICES' COURTS (Continued)
Appearance of parties (Continued)

- trial date, setting, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 20
- venue established by, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A

Applicability of laws, 3-10-111, 25-31-111
- appeals to district court, 25-35-605; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 24
- confession of judgment, 27-9-101
- depositions, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 13B
- execution, 25-31-1104, 25-31-1106; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 23E
- imprisonment of judgment debtor, 25-31-1106
- jury, impaneling, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18B
- justices of the peace, 3-10-221
- municipal court, 25-30-101, 25-30-105, 25-30-107
- summary judgments, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A

Arraignments, time for, Title 25, chapter 24, M.U.R.J.C.C., Rule 14
Arrest, civil — judgment making defendant subject to, 25-31-908
Arrest, civil — prejudgment
- affidavit of defendant, 27-16-1003
- affidavit of plaintiff, 27-16-1002, 27-16-1006
- answer or appearance, effect, 25-31-406, 27-16-1003, 27-16-1006
- certificate of arrest, 27-16-1004
- costs, 27-16-1005
- damages, 27-16-1006
- defense, 27-16-1006
- discharge, 27-16-1001, 27-16-1005
- docketing, 3-10-501
- duration of custody, 27-16-1005
- expenses, 27-16-1005
- grounds, 27-16-1001
- justice's authority to issue order, 27-16-1001
- notice to plaintiff, 27-16-1004
- order, 27-16-1001, 27-16-1004
- postponement when, 25-31-707
- prepayment of expenses, 27-16-1005
- undertaking of plaintiff, 27-16-1002, 27-16-1006

Attachment in, See **ATTACHMENT OF PROPERTY**
Attorneys — representation by, death, or removal, Title 25, chapter 24, M.U.R.J.C.C., Rules 13, 15
Bail bonds, payment, Title 25, chapter 24, M.U.R.J.C.C., Rule 16, See also **Arrest, civil** — prejudgment
Boating violations, fine and bond forfeitures, 23-2-507
Briefs, filing, Title 25, chapter 24, M.U.R.J.C.C., Rules 5, 9
Budget, fees credited to, 3-10-702
Charge of jury, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 19
Charges upon conviction or forfeiture, imposition and disposition, 46-18-236
Citations, Title 25, chapter 24, M.U.R.J.C.C., Rule 3
City courts, combination with, 3-10-101
"Civil action" defined, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 2
Claim and delivery, Title 27, chapter 17
Class actions not permitted, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 12D
Clerical mistakes, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 22B
Clerk of the court
- bail bonds, payment, Title 25, chapter 24, M.U.R.J.C.C., Rule 16
- docket, Title 25, chapter 24, M.U.R.J.C.C., Rule 3
- files and exhibits, Title 25, chapter 24, M.U.R.J.C.C., Rule 2
- hours of court, posting, Title 25, chapter 24, M.U.R.J.C.C., Rule 14
- judgment, certification, 25-31-914

JUSTICES' COURTS (Continued)
Clerk of the court (Continued)
  pleadings, filing, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  service of process, duties, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  summons, issuance, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4C
Closing arguments, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 19
Commencement of action, 25-35-601, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3
Complaint, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 3, 7, 7A, See also **Pleadings**
  amendment, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 8B, 21A
  answer, See **Answer**
  commencement of action by, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3
  docket, Title 25, chapter 24, M.U.R.J.C.C., Rule 3
  filing fee, 25-31-112
  landlord's action for possession or unlawful holdover, tenant's response, 70-24-429
  proof of service, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  service, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 4C, 4D, See **Service of process**
  signatures, genuineness, 25-31-512
  small claims division, See **SMALL CLAIMS COURT, JUSTICES' COURTS**
Compromise before trial, written offer, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
Confession of judgment
  applicability of laws, 27-9-101; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
  costs, 27-9-104
  docketing, 27-9-104
  fee, 25-31-112, 27-9-104
  filing, 27-9-104
  jurisdiction, 3-10-301, 27-9-101, 27-9-104
Contempt, See also **CONTEMPT**, generally
  acts which constitute, 3-10-401, 45-7-309
  arrest when, 3-10-403
  certiorari, review of judgment by, 3-1-523
  conviction, entry in docket, 3-10-405
  criminal contempt, 45-7-309
  judgment, review, 3-1-523
  pretrial orders, noncompliance, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 14B
  proceedings, 3-10-402, 3-10-403
  punishment, 3-1-403, 3-10-402, 3-10-404, 45-1-104, 45-7-308, 45-7-309; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 14B
Continuance, See **Postponement**
Convening hours, 3-10-102
Costs, See **Fees and costs**
Counterclaim, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 7, See also **Pleadings**
  amended pleadings, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 8B, 8C
  answer, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 7B, 7C
  compulsory, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 7C
  failure to assert, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4C
  filing, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 7C
  judgment, 25-31-907
  new matter in, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 7D
  reply to, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 7
  signatures, genuineness, 25-31-512
  small claims division, 25-35-606 — 25-35-608
County seat, location of court when, 3-10-101
Court of justice, enumeration as, 3-1-101
Criminal proceedings, 46-1-103; Title 25, chapter 24, M.U.R.J.C.C., Rules 14, 19, See **CRIMINAL PROCEDURE**
Decorum, Title 25, chapter 24, M.U.R.J.C.C., Rule 12

JUSTICES' COURTS (Continued)

Default
    docketing, 3-10-501, 3-10-1005
    judgment, See **Judgment**
    parties, failure to appear, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules, 20, 21A
    procedure, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 4C, 21A
Depositions, 25-31-708; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 13B; Title 25, chapter 24, M.U.R.J.C.C., Rule 10
Deposit of money in lieu of undertaking, 25-31-115, 25-31-402; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 24
Discovery
    depositions as method of, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 13B; Title 25, chapter 24, M.U.R.J.C.C., Rule 10
    interrogatories, written, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 13A
    limitations, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 13A
    scope, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 13A
Dismissal
    judgment, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
    misjoinder not grounds, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 12C
    notice, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 16C
    parties
        failure to proceed, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 16C
        real party in interest, failure to name, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10B
        substitution, failure to make, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 11B
    plaintiff's failure to appear, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 16B
    state's liability at issue, 25-31-102
    venue, improper, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3B
    voluntary, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
Disqualification of justice, See **Justices of the peace**
District court, transfer of action to, 25-31-102, 25-31-112
Dockets and records, 3-10-501, 3-10-1005; Title 25, chapter 24, M.U.R.J.C.C., Rule 3
    acting justice, entries by and respecting, 3-10-232
    adjournment, 3-10-501, 3-10-1005
    appeal, 3-10-501, 3-10-1005
    appearance, 3-10-501, 3-10-1005
    arrest, 3-10-501
    attachment, 3-10-501
    claim, 3-10-501, 3-10-1005
    confession of judgment, 27-9-104
    constable, entry of deputation, 3-10-704
    contempt, entry of conviction, 3-10-405
    criminal proceedings, 46-17-102
    default, 3-10-501, 3-10-1005
    deposit of, 3-10-511, 3-10-512, 3-10-514
    entries, how made, 3-10-502, 3-10-1005
    execution, 3-10-501
    fees and costs, 3-10-501, 3-10-1005, 25-31-1002
    index required, 3-10-503; Title 25, chapter 24, M.U.R.J.C.C., Rule 3
    judgment, 3-10-501, 3-10-1005, 25-31-914; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
    jurisdiction conferred by deposit, 3-10-514
    jury trials, 3-10-501; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 15C
    mechanical recordings, Title 25, chapter 24, M.U.R.J.C.C., Rule 18
    motions, minute, 3-10-501
    papers filed, number included, Title 25, chapter 24, M.U.R.J.C.C., Rule 4
    payments to justice, 3-10-1005
    pleadings, minute, 3-10-501

JUSTICES' COURTS (Continued)
Dockets and records (Continued)

- prima facie evidence, entries as, 3-10-502
- small claims division, 3-10-1005
- successor in office, delivery to, 3-10-511 — 3-10-514
- summons, 3-10-501
- title of action or proceeding, 3-10-501, 3-10-1005
- transcript, transmittal when change of venue, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C

Employment preference to handicapped persons, Title 39, chapter 30
Evidence
- admissibility, 25-31-101, 25-31-102; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 13A
- discovery, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 13A
- exhibits, Title 25, chapter 24, M.U.R.J.C.C., Rule 2
- offer to compromise and failure to accept, inadmissibility, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
- postponement for, 25-31-705
- presentation, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 19
- service of process, affidavit of inquiry for personal service, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- signatures, genuineness, 25-31-512
- small claims division, 25-35-702
- variance, 25-31-523

Excusable neglect, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 6B, 22A
Execution of judgment
- content, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 23C
- counties or county officers, exemption, 25-31-1111
- docketing, 3-10-501
- form, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 23C
- imprisonment of judgment debtor, 25-31-1106
- manner of execution, 25-31-1104
- renewal, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 23D
- small claims court, 25-35-807
- supplemental proceedings, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 23E
- time, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 23B
- writ of execution
  - issuance, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 23A, 23B
  - reissuance, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 23D
  - request, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 23B
  - return, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 23D

Exhibits, Title 25, chapter 24, M.U.R.J.C.C., Rule 2
Ex parte matters, Title 25, chapter 24, M.U.R.J.C.C., Rule 6
Extension of time, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 6B, 6C; Title 25, chapter 24, M.U.R.J.C.C., Rule 6
Facilities, provision for, 3-10-103; Const., VII, 5
Fees and costs, 25-31-112
- appeal, undertaking on — inclusion, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 24
- appearance of defendant, 25-31-112
- arrest, prejudgment, 27-16-1004
- budget, credited to, 3-10-702
- charges upon conviction or forfeiture, imposition and disposition, 46-18-236
- collection, 3-10-222, 3-10-601, 3-10-602
- confession of judgment, 25-31-112, 27-9-104
- cost bill not necessary, 25-31-1002
- county or county officer, collection of judgment, 25-31-1111
- default judgment, 25-31-112; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
- discovery, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 13A

JUSTICES' COURTS (Continued)
Fees and costs (Continued)

- disposition, 3-10-222, 3-10-601, 3-10-602
- docketing, 3-10-501, 3-10-1005, 25-31-1002
- forest protection and fire protection, amount due — action to collect, 76-13-211
- judgment, 25-31-112
  - default judgment, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
  - dismissal without prejudice, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
  - inclusion in, 25-31-113; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
  - relief from, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 22A
- jurors' fees, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 17
- offer to compromise before trial, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
- papers, transmittal, 25-31-112
- payable when, 25-31-113
- plaintiff's failure to appear, costs awarded to defendant, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 16B
- pretrial orders, noncompliance, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 14B
- service of process, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- small claims division, 25-35-608, 25-35-802
- statement required when, 25-31-1002
- summons, service with complaint, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- taxed, how, 25-31-1002; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 17
- venue, upon change, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
- violation and penalty, 3-10-602

Files, Title 25, chapter 24, M.U.R.J.C.C., Rule 2
Final arguments, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 19
Fines, disposition, 3-10-601, 3-10-602
Forcible entry and unlawful detainer, Title 70, chapter 27
Forest protection and fire protection

- amount due, action to collect — fees or costs, 76-13-211
- fines for violations, 76-13-111, 76-13-114

Forfeitures, disposition, 3-10-601, 3-10-602
Form of action, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 2
Governmental entities, actions involving — service of process, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Holidays, 3-10-102; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 6A; Title 25, chapter 24, M.U.R.J.C.C., Rule 21
Hours to be convened, 3-10-102, 3-10-208; Title 25, chapter 24, M.U.R.J.C.C., Rule 14
In forma pauperis, 25-31-113, 25-35-608
Interpleader actions, 25-31-119
Interrogatories, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 13A
Issues, 25-31-801

- fact, 25-31-801, 25-31-802
- inadmissible, those which are, 25-31-101, 25-31-102
- law, 25-31-801, 25-33-302, 25-33-303
- trial by whom, 25-31-803

Joinder of claims or parties, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 12

- class actions not permitted, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 12D
- involuntary, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 12A
- misjoinder, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 12C
- permissive, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 12B
- separation of claims or parties, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 12C

Judgment

- affidavit showing cause for relief, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 22A
- amount exceeding jurisdiction of court, 25-31-906
- appeal, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 24
- arrest, when defendant subject to, 25-31-908

JUSTICES' COURTS (Continued)
Judgment (Continued)

- clerical mistakes, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 22B
- confession of judgment, See **Confession of judgment**
- costs, inclusion in, 25-31-113; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
- counterclaim, when established, 25-31-907
- county or county officer, collection, 25-31-1111
- court, trial by, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
- default
  - appeal, 25-33-303
  - application, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
  - fee, 25-31-112; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
  - summons, notice in, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4C
  - when taken, 25-31-406
- dismissal without prejudice, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
- docketing, 3-10-501
- exhibits, withdrawal or disposal, Title 25, chapter 24, M.U.R.J.C.C., Rule 2
- entry, 3-10-501, 3-10-1005; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 17
- execution, See **Execution of judgment**
- fees, 25-31-112; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
- grounds, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
- jurisdiction of court required, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21B
- lien of judgment, 25-31-914
- multiple defendants, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21B
- offer to compromise before trial, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
- pleadings, on, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
- relief from, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 22A
- signature of judge required, Title 25, chapter 24, M.U.R.J.C.C., Rule 7
- small claims division, See **SMALL CLAIMS COURT, JUSTICES' COURTS**
- time for entry, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
- venue, when improper, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
- verdict, upon, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A

Judicial days, 3-10-102
Judicial power vested in, 3-1-113; Const., VII, 1
Jurisdiction, Const., VII, 1

- abuse of family or household member, temporary restraining orders, 40-4-121, 40-4-123
- acquisition, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4B
- acting justice, jurisdiction of, 3-10-233
- alcoholic beverage code violations, 16-6-201, 41-5-203
- appellate jurisdiction in district court, 3-5-303, 25-35-803, 46-17-203, 46-17-311; Const., VII, 4
- battered family or household member, temporary restraining orders, 40-4-121, 40-4-123
- bonds and undertakings, 3-10-301
- city courts, concurrent jurisdiction when, 3-11-102
- city or town fines or forfeitures, 3-10-301
- classification of offense, 45-1-201
- concurrent
  - city courts, 3-11-102, 37-4-328, 40-4-123; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3B
  - district courts, 3-5-302, 3-10-302, 3-10-303, 16-6-201, 40-4-123; Const., VII, 4; VII, 5
  - municipal court, 40-4-123
  - youth court, 41-5-203
- confession of judgment, 3-10-301, 27-9-101, 27-9-104
- contracts, 3-10-301
- cosmetics, 50-31-509
- criminal, 3-5-302, 3-10-303, 46-2-202; Const., VII, 4; VII, 5
- dentists, misdemeanors committed by, 37-4-328

JUSTICES' COURTS (Continued)
Jurisdiction (Continued)

- district courts
  - appellate jurisdiction, 3-5-303, 25-35-803, 46-17-203, 46-17-311; Const., VII, 4
  - concurrent jurisdiction, 3-5-302, 3-10-302, 3-10-303, 16-6-201, 40-4-123; Const., VII, 4; VII, 5
- docket, deposit confers, 3-10-514
- drug offenses, 3-10-303, 50-31-509
- exclusions, 3-10-301, 25-31-101, 25-31-102
- fish and game violations, 3-10-303
- food, adulterated or misbranded, 50-31-509
- forcible entry and detainer, 3-10-302, 70-27-101
- forest fire protection amount, collection, 76-13-211
- gambling violations committed by minors, 23-5-158
- hazardous substances, 50-30-307
- highway patrol officers, arrests by, 44-1-1101, 44-1-1102
- judgment, required for, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21B
- landlord-tenant disputes, 3-10-302, 70-24-103
- livestock market violations, 3-10-303, 81-8-217
- livestock, trespassing — actions to recover damages by, 81-4-307
- long arm statute, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- mattresses, seizure and destruction upon condemnation, 50-36-106
- mental illness, commitment, 53-21-121 — 53-21-123
- misdemeanors, 3-5-302, 3-10-303; Const., VII, 4; VII, 5
- money, recovery of, 3-10-301
- motor vehicles — size, weight, and load violations, 3-10-303
- municipal courts, coordinate and coextensive jurisdiction, 3-6-103
- original, Const., VII, 5
- personal injury, 3-10-301
- personal property actions, 3-10-301
- person, of, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 4B, 4D
- preliminary proceedings, 3-10-303, 46-10-105; Const., VII, 5
- product safety, 50-30-307
- real property, injury, 3-10-301, 25-31-101
- small claims division, 3-10-1004
- spouse abuse, temporary restraining orders, 40-4-121, 40-4-123
- taxation, assessment violations, 15-8-309
- territorial extent, 3-10-304
- venue, change of — transferee court, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
- youth court, concurrent when, 41-5-203

Jury, See also **JURIES AND JURORS, Limited jurisdiction, juries in courts of**
- alternate jurors, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18C
- arrest, prejudgment, 27-16-1006
- bias of jury, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
- charge of jury, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 19
- demand for jury trial, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 15B, 15C
- discharge of juror, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18C
- docketing, 3-10-501; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 15C
- fees, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 17
- illness of juror, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18C
- impaneling of jury, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 18B, 18C
- instructions to, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 19; Title 25, chapter 24, M.U.R.J.C.C., Rule 19
- number of jurors, 3-15-107, 46-17-201; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18A
- prevention of verdict, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18D
- request for, Title 25, chapter 24, M.U.R.J.C.C., Rule 11
- required when, 25-31-803; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 15A

JUSTICES' COURTS (Continued)
Jury (Continued)

right to jury trial, 25-31-803, 46-17-201; Const., II, 26; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 15A, 21A
voir dire examination, Title 25, chapter 24, M.U.R.J.C.C., Rule 20
waiver, 46-17-201; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 15C
Justices of the peace, 1-1-202, 3-1-1501, See also generally **COUNTY OFFICERS; JUDGES AND JUSTICES; PUBLIC OFFICERS OR EMPLOYEES**
absence, 3-10-231 — 3-10-234, 27-16-1003; Const., VII, 10
acknowledgments, power to take and certify, 3-1-404, 3-1-405
acting justice, 3-10-231 — 3-10-234, See also **Dockets and records**
affidavits, power to take and certify, 3-1-404
annual training for office, 3-10-203, 3-10-231
appointment when, 3-1-1503, 3-10-202, 3-10-206, 7-4-2203
bail bonds, establishment, Title 25, chapter 24, M.U.R.J.C.C., Rule 16
candidacy for political office, Const., VII, 10
chambers, provision for, 3-10-103; Const., VII, 5
citizenship requirements, 3-10-204; Const., VII, 9
city court judge
  designation as, 3-11-205, 7-4-4102, 7-4-4103
  jurisdiction, to have same as — when, 3-11-102
city courts
  city-county consolidated government — jurisdiction, powers, and duties, 7-3-1342
  justice to preside when, 3-10-101, 3-11-201, 3-11-203, 3-11-205, 7-4-4102, 7-4-4103
  records transferred to, when, 7-2-4914
conflict of interest, 3-1-602, 3-1-803
consolidation of office, 7-4-2301
contempt punishable by, 3-10-401, See **Contempt**
conveyances, powers, 3-1-404, 3-1-405
counties, creation of new — effect, 7-2-2225
decorum, Title 25, chapter 24, M.U.R.J.C.C., Rule 12
depositions, powers, 3-1-404, 3-1-405
deputy officers, appointment prohibited, 7-4-2401
disability of justice, 3-10-231 — 3-10-234
disbursements, written reports, 7-6-2213, 7-6-2214
disciplinary proceedings, Const., VII, 11, See **JUDGES AND JUSTICES, Judicial Standards Commission**
dismissal of action, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 16B, 16C
disqualification, 3-1-602, 3-1-803, 3-1-805, 3-1-1109, 3-1-1507, 3-10-203, 3-10-231, 3-10-602
  judicial standards commission, recommendation for, 3-1-1106, 3-1-1109
  motions and orders, effect upon, 25-4-101
  venue, change of, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
docket, See **Dockets and records**
driver improvement program, referrals to, 61-2-302
drivers' licenses, demand for exhibit, 61-5-116
drug users before, report to county attorney, 46-9-203
election, See **ELECTIONS, Judicial candidates**
execution, writ of, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 23B, 23C, 23E
expenses, 7-5-2145
  acting justice, 3-10-234
  city judge, presiding as, 3-11-205
  county, to be charged against, 3-10-209, 7-6-2426
  orientation, 3-10-203
  training session, 3-1-1506, 3-10-203
extension of time, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 6B
facilities, provision for, 3-10-103; Const., VII, 5
fees and costs, duties, See **Fees and costs**

JUSTICES' COURTS (Continued)
Justices of the peace (Continued)

- files taken from clerk's office, consent, Title 25, chapter 24, M.U.R.J.C.C., Rule 2
- fines, 25-33-104
- fires, property rescued from — fixing of amount of expenses incurred, 7-33-2313
- fish and game laws distributed to, 87-1-405
- forfeiture of position, Const., VII, 10
- hours, determination of, 3-10-208
- illness of justice, 3-1-1503, 3-10-231 — 3-10-234; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
- interpleader affidavits, 25-31-119
- irrigation district commissioners, qualification in same manner, 85-7-1501
- judgment
    - entry, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
    - relief from, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 22A
- jurisdiction, See **Jurisdiction**
- juror, discharge, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18C
- justice, department of — reports to, 61-11-104
- law practice restricted, 3-1-602
- livestock owners' bonds, approval, 81-4-307
- malfeasance in office, 3-1-602, 3-10-602; Const., VII, 11
- marriage, solemnization by, 40-1-301
- meetings or conventions, expenses, 7-5-2145
- motor vehicle liability insurance cards, exhibition when, 61-6-302
- motor vehicle violations, jurisdiction, 61-12-208
- municipal court judge, jurisdiction and responsibility, 3-6-103
- oath of office, 3-10-202
- oaths, power to administer, 1-6-101
- office hours, determination of, 3-10-208
- orders, signature requirements, Title 25, chapter 24, M.U.R.J.C.C., Rule 7
- orientation courses, 3-10-203, 3-10-231; Const., VII, 5
- pleadings, filing, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- political party endorsement prohibited, 3-10-201
- powers and duties, 3-10-221, 3-10-222, 3-10-601, 3-10-602
- preliminary proceedings, duties, Title 46, chapter 10
- pretrial orders, noncompliance, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 14B
- prohibited practices, 3-1-602, 3-1-606
- purchase of judgment unlawful when, 3-1-606
- qualifications, 3-10-202, 3-10-204; Const., VII, 9
- recordings, mechanical, Title 25, chapter 24, M.U.R.J.C.C., Rule 18
- records, See **Dockets and records**
- removal from office, 3-1-602, 3-10-602; Const., VII, 11, See **JUDGES AND JUSTICES, Judicial Standards Commission**
- reports, written, 7-6-2213, 7-6-2214
- residence requirements, 3-10-204, 3-11-205; Const., VII, 9
- restrictions generally, Const., VII, 9; Title 3, chapter 1, part 6, See **JUDGES AND JUSTICES**, generally
- salaries, Const., VII, 5; VII, 7
    - acting justice, 3-10-234
    - city judge, presiding as, 3-10-101, 3-11-205
    - determination, 3-10-207
    - disqualification, effect, 3-1-1109
    - expenses, 3-10-203, 3-10-209, 3-11-205
    - nonpayment when, 3-1-1110, 3-1-1111
    - office hours determined by, 3-10-208
- search warrants, issuance, 46-5-220
- separation of claims or parties, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 12C

JUSTICES' COURTS (Continued)
Justices of the peace (Continued)

- service of papers not process, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 5B; Title 25, chapter 24, M.U.R.J.C.C., Rule 7
- service of process, duties, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D; Title 25, chapter 24, M.U.R.J.C.C., Rule 7
- small claims division, See **SMALL CLAIMS COURT, JUSTICES' COURTS**
- substitute justice, 3-10-231 — 3-10-234, 25-10-205
  - judicial standards commission recommendation for, 3-1-1106, 3-1-1107, 3-1-1109, 3-1-1110; Const., VII, 11
- successor to office, 3-10-206, 3-10-511 — 3-10-514
- summons, 25-31-407; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4C
- term of office, 3-10-205; Const., VII, 7
- training and certification, 3-1-503, 3-1-1501 — 3-1-1503, 3-1-1506 — 3-1-1508, 3-10-202, 3-10-203, 3-10-231, 13-15-405; Const., VII, 5
- trial, time and place — notice, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 3C, 20
- undertakings, sum fixed by, 25-31-707
- vacancies in office
  - docket and records, deposit when, 3-10-511, 3-10-512, 3-10-514
  - jurisdiction, how conferred, 3-10-514
  - successor, 3-10-206, 3-10-513, 3-10-514, 7-4-2206
  - training sessions, failure to attend may create, 3-1-1507, 3-10-203
- witness, as, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C; Title 26, chapter 10, M.R.Ev., Rule 605
- youth court, probable cause hearings, 41-5-303

Location, 3-10-101
Long Arm Statute, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Montana Code Annotated, county to provide courts with, 3-10-103
Motions and orders, Title 25, chapter 24, M.U.R.J.C.C., Rule 5

- application for order to be by motion, writing required, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 9A; Title 25, chapter 24, M.U.R.J.C.C., Rule 5
- clerical mistakes and motion or order for correction, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 22B
- continuance, motion for, Title 25, chapter 24, M.U.R.J.C.C., Rules 8, 11, 17
- discovery, for or reference to, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 13A; Title 25, chapter 24, M.U.R.J.C.C., Rule 10
- dismissal of action, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 16C
- docketing, 3-10-501
- extension of time, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 6B
- form, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 9C
- hearing, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 9A
- judgments on pleadings or default judgments, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
- nonresident attorneys, representation by — motion for, Title 25, chapter 24, M.U.R.J.C.C., Rule 13
- notice of hearing, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 9A
- opposition to be in writing, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 9B
- pleadings
  - amendment, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 8A
  - motions are not, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 7
- pretrial orders, failure to obey — sanctions, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 14B
- separation of parties, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 12C
- service, Title 25, chapter 24, M.U.R.J.C.C., Rules 7, 9
- signing, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 9C; Title 25, chapter 24, M.U.R.J.C.C., Rule 7
- substitution of parties, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 11A

JUSTICES' COURTS (Continued)
Motions and orders (Continued)

- venue, change of, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
- writing, 3-10-501; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 9A

Motor carrier violations, conviction, 69-12-108
Municipal courts, applicability of laws, 25-30-101, 25-30-105, 25-30-107
Nonjudicial days, 3-10-102; Title 25, chapter 24, M.U.R.J.C.C., Rule 16
Number, 3-10-101; Const., VII, 5
Objections

- discovery, inadmissibility — not ground for, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 13A
- venue, improper, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 3C, 21A

Offer to compromise before trial, written, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
Opening statements, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 19
Order of trial, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 19
Orders, See **Motions and orders**
Papers filed, form and quality, Title 25, chapter 24, M.U.R.J.C.C., Rule 4
Parties, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A

- appearance, See **Appearance of parties**
- death, substitution, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 11A
- discovery, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 13A
- guardian, appointment, 25-31-602
- incompetent persons, representation, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 11A
- interpleader, 25-31-119
- joinder, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 12, 12A, 12B, 12C, 12D
- minors, 25-31-602
- multiple defendants, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21B
- order of trial, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 19
- orders, presenting for signature, Title 25, chapter 24, M.U.R.J.C.C., Rule 7
- pleadings, signing, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 7D
- pro se appearance, 25-31-601
- real party in interest, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 10A, 10B
- representation, 25-31-601; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 11A; Title 25, chapter 24, M.U.R.J.C.C., Rules 13, 15
- service of papers not process, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 5B, 5C; Title 25, chapter 24, M.U.R.J.C.C., Rules 7, 9
- service of process, Title 25, chapter 24, M.U.R.J.C.C., Rules 7, 9
- small claims division, See **SMALL CLAIMS COURT, JUSTICES' COURTS**
- subpoenas for witnesses, request for, Title 25, chapter 24, M.U.R.J.C.C., Rule 8
- substitution of parties, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 11A, 11B
- trial date, notice, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 20
- trustee as, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 11A
- unknown person as defendant, 25-31-405; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D

Penalties, disposition, 3-10-601, 3-10-602
"Person" defined, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4A
Place of trial, See **Venue**
Pleadings, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 7

- amendment, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 8A, 8C
- clerical mistakes, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 22B
- docketing, 3-10-501
- failure to deny, effect, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 7D
- filing, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 4D, 5A, 7D; Title 25, chapter 24, M.U.R.J.C.C., Rule 9
- form, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 7D
- judgment on, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
- jury trial, demand, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 15B

JUSTICES' COURTS (Continued)
Pleadings (Continued)

- parties
  - real party in interest, failure to name, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10B
  - representatives, naming, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 10A
- proof of service, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 9C
- responsive pleadings, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 7D
- service, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 5A; Title 25, chapter 24, M.U.R.J.C.C., Rule 9
- signatures 25-31-512; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 7D
- small claims division, 25-35-607
- time for, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 5A
- transmittal when change of venue, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
- variance, 25-31-523

Postponement, Title 25, chapter 24, M.U.R.J.C.C., Rule 6
- application of party, 25-31-705 — 25-31-709
- consent of parties, 25-31-704
- defense, for, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- motion for continuance, Title 25, chapter 24, M.U.R.J.C.C., Rules 8, 17
- motion of court, 25-31-703
- time limit, 25-31-709

Power, 3-1-113; Const., VII, 1
Preliminary examination, See **CRIMINAL PROCEDURE**
Pretrial conference, Title 25, chapter 24, M.U.R.J.C.C., Rule 15
- objectives, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 14A
- sanctions, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 14B

Procedure, Rules of, See **Rules of Civil Procedure**
Process
- disobedience as contempt, 3-10-401, 45-7-309
- fees, disposition, 3-10-222
- service, See **Service of process**
- subpoenas, See **Subpoenas**
- summons, See **Summons**
- territorial jurisdiction, 3-10-304
- unknown person as defendant, 25-31-405

Records, See **Dockets and records**
Replevin, Title 27, chapter 17
Reporters, 25-34-302
Restraining orders, self-help temporary, 40-4-122 — 40-4-125
Rules for the Justice and City Courts, Uniform, Title 25, chapter 24
Rules of Civil Procedure, Const., VII, 2; Title 25, chapter 23
- city court, applicability, 3-11-302

Security, See **Undertakings**
Separation of claims or parties, 25-31-102; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 12C
Service of papers not process, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 5B, 5C; Title 25, chapter 24, M.U.R.J.C.C., Rules 7, 9
- extension of time, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 5A, 6B
- mail, additional time when service by, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 6C
- time, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 5A

Service of process, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D; Title 25, chapter 24, M.U.R.J.C.C., Rules 7, 8, 9
- jurisdiction acquired by, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4B
- "person" defined, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4A
- small claims division, applicability of laws, 25-35-604
- summons, where served, 25-31-407

Severance of issues, 25-31-102; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 12C
Signatures, genuineness, 25-31-512

JUSTICES' COURTS (Continued)

Small claims division, Title 25, chapter 35
Snowmobile violations, fines and forfeitures, 23-2-644
Speedy trial, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 1
Stay of proceedings, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Subpoenas, 3-10-401, 25-35-702, 45-7-309, 46-4-112, 46-4-203; Title 25, chapter 24, M.U.R.J.C.C., Rules 7, 8, 9, See also **Process**
Substitute justice, See **Justices of the peace**
Substitution of parties, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 11A, 11B
Summons, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 4C, 4D; Title 25, chapter 24, M.U.R.J.C.C., Rules 7, 9, See also **Process**
  alias summons, 25-31-409
  arrest, prejudgment — order on, 27-16-1001, 27-16-1004
  docketing, 3-10-501
  guardian, appointment upon return, 25-31-602
  issuance, 25-31-402; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4C
  landlord's action for possession or unlawful holdover, tenant's response, 70-24-429
  return, 25-31-409, 25-31-602; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  service, 25-31-407; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 3A, 4D; Title 25, chapter 24, M.U.R.J.C.C., Rule 9
  time for answer or appearance stated in, 25-31-406
  unknown person as defendant, 25-31-405
Supervisory control of supreme court, Const., VII, 2
Survival of action, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 11A
Time, computation and extension, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 6A, 6B, 6C; Title 25, chapter 24, M.U.R.J.C.C., Rule 21
Transfer of interest in action, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 11A
Trial
  adjournment, See **Adjournment**; **Postponement**
  conduct, Title 25, chapter 31, part 8
  court, by, 25-31-803
  date, notice, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 20
  issues, See **Issues**
  jury, by, See **Jury**
  notice, 25-31-702; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 20
  order of, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 19
  postponement, See **Postponement**
  severance of issues, 25-31-102; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 12C
  timeliness, 25-31-702; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 1
  venue, See **Venue**
Undertakings, 25-31-402
  appeal, on, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 24
  arrest, prejudgment — for, 27-16-1002, 27-16-1006
  deposit of money in lieu of, 25-1-401, 25-31-115, 25-31-402; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 24
  district court, transfer of action to, 25-31-102
  jurisdiction, 3-10-301
  postponement, upon, 25-31-707, 25-31-709
Venue, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A
  change of, 3-10-231; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 3A, 3C
  forcible entry and unlawful detainer, 25-31-205
  improper, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rules 3B, 21A
  nonresident defendant, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A
  objection during trial, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
  real property, recovery, 25-31-205
  small claims division, 25-35-504

JUSTICES' COURTS (Continued)

Verdict
    judgment in accordance with, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 21A
    jury instructions, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 19
    prevention, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 18D
Vesting of judicial power, 3-1-113; Const., VII, 1
Warrants, Title 25, chapter 24, M.U.R.J.C.C., Rules 7, 9
Witnesses, Title 25, chapter 24, M.U.R.J.C.C., Rule 8

JUSTICES OF THE PEACE
    See **JUDGES AND JUSTICES**, generally; **JUSTICES' COURTS; PUBLIC OFFICERS OR EMPLOYEES**, generally

JUSTICES OF THE SUPREME COURT
    See **SUPREME COURT, Chief justice; Justices**; See also generally **JUDGES AND JUSTICES; PUBLIC OFFICERS OR EMPLOYEES**

JUVENILES, INTERSTATE COMPACT ON, Title 41, chapter 6
    See **MINORS, Interstate Compact on Juveniles**

K

KINSHIP
    See **AFFINITY AND CONSANGUINITY**

L

LABOR AND EMPLOYMENT
Abduction of employee, tort action, 27-1-515
Accidents, See **Safety; WORKERS' COMPENSATION**
Accountings by employee
    duty, 39-2-407
    return of things, 39-2-408, 39-2-605
Actions, See **ACTIONS AND PROCEEDINGS, Employment**
Advertising
    position, of — false advertising, 39-2-303, 39-5-304
    strikebreakers, for, 39-33-204, 39-33-205
Affirmative action, women, See **Women**
Agencies, See **EMPLOYMENT AGENCIES AND OFFICES**
Agency, applicability of laws, 39-2-503, 71-3-522
Agricultural industry
    creation of jobs, Title 90, chapter 9
    unemployment insurance, Title 39, chapter 51, part 2
    workers' compensation coverage exclusion, 39-71-401
Air Pollution Control Advisory Council, representation on, 2-15-2106
Alcohol consumption
    blood or urine testing, 39-2-304
    lawful use during nonworking hours, discrimination prohibited and exceptions, 39-2-313
Aliens, employment of, See **ALIENS**
Amusements, employment at, See **RECREATION**
Applicability of laws
    agency, 39-2-503
    bailees, 70-6-207

LABOR AND EMPLOYMENT (Continued)
Applicability of laws (Continued)

- blood or urine testing, 39-2-304
- child support income withholding, 40-5-422
- confidential employment, 39-2-103
- depositaries' services, 70-6-207
- "employment" defined, 39-2-101
- factors, 39-2-503
- federal law, 39-1-104
- fiduciaries, 39-2-103
- landlord-tenant laws, 70-24-104
- law enforcement agencies, 39-2-304
- lie detector tests, 39-2-304
- restraint of trade, 30-14-206
- safety, See **Safety**
- trusts, 39-2-103
- urine or blood testing, 39-2-304

Applicants for employment
- blacklisting, See **Blacklisting**
- blood or urine testing, 39-2-304
- employment agencies, See **EMPLOYMENT AGENCIES AND OFFICES**
- investigative report on, See **CONSUMER PROTECTION, Investigation and reporting**
- lie detector tests, 39-2-304
- nature of employment, deception, 39-2-303
- occupational disease, preemployment physical, 39-72-404
- physical examination, payment of cost by employee not to be required, 39-2-301
- preference, See **Preference to handicapped persons; Preference to veterans**
- urine or blood testing, 39-2-304

Apprenticeship, See **APPRENTICESHIP AND APPRENTICES**
Arbitration, See **ARBITRATION; COLLECTIVE BARGAINING; PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Asbestos regulation, See **ASBESTOS**
Attachment of wages, termination because prohibited, 39-2-302, 39-2-503
Babysitters, minimum wage and overtime compensation exclusions, 39-3-406
Bailees' services, applicability of laws, 70-6-207
Bartenders, employment under 18 prohibited, 39-2-306
Blacklisting
- company liability, 39-2-803
- damages, 39-2-802, 39-2-803
- penalty, 39-2-804
- personal liability, 39-2-802
- unlawful, 39-2-801, 39-2-804

Blanket disability insurance, See **INSURANCE, DISABILITY**
Blind persons, See **Preference to handicapped persons; BLIND OR VISUALLY DISABLED PERSONS; DISCRIMINATION, Disabled persons**
Blood or urine testing, 39-2-304
Boiler operators, employment of unlicensed operators unlawful when, 50-74-316, 50-74-317
Bonding of employees, See **SURETY BONDS**, generally
Boycotts, See **COLLECTIVE BARGAINING, Disputes**
Breach of obligations by employee as cause for termination, 39-2-606
Care, duty of employee
- gratuitous employee, 39-2-401
- own benefit, employee for, 28-1-202, 39-2-403
- reward, employee for, 39-2-402
- skill, degree required, 39-2-406
- substitute, in selection, 39-2-410

LABOR AND EMPLOYMENT (Continued)

Care, duty of employer, 39-2-701
Car pools, exemption from motor carrier regulations, 69-12-102
Casual labor
- minimum wage exclusions, 39-3-406
- overtime compensation exclusions, 39-3-406
- unemployment insurance coverage exclusions, 39-51-204, See also **UNEMPLOYMENT INSURANCE**, generally
- workers' compensation coverage exclusions, 39-71-118, 39-71-401, 39-71-405

Character of employment, misrepresentation, 39-2-303
Chemicals, hazardous — information to employees, Title 50, chapter 78, See **HAZARDOUS CHEMICALS**
Child care
- assistance, See **DISPLACED HOMEMAKERS**
- minimum wage and overtime compensation exclusions, 39-3-406

Child labor, See **MINORS, Employment**
Child support income withholding, effect, 40-5-422
Cities and towns, winter work program, See **CITIES AND TOWNS**
Civil service employees, See **PUBLIC OFFICERS OR EMPLOYEES**
Claims, See **ACTIONS AND PROCEEDINGS, Employment**
Closures
- governmental facilities, 2-18-1201 — 2-18-1206, 39-2-1001 — 39-2-1004
- plant, 75-20-304

Collective bargaining, See **COLLECTIVE BARGAINING**
Commissioner of labor and industry, See **LABOR AND INDUSTRY, DEPARTMENT OF**
Community service corps program, 90-14-106
- advisory council, representation, 90-14-104

Comparable worth, 2-18-208, 2-18-209, 39-3-104
Compliance to employer's instructions, 39-2-404, 39-2-701
Condemnation commissioners, relationship grounds for exclusion, 70-30-207
Confidential employees, 39-2-103, 39-2-606, See **FIDUCIARIES; TRUSTS**
Conflict of laws, employment preference, 39-30-108
Consumer protection, employee as investigator, 30-14-122
Consumer reports, effect, See **CONSUMER PROTECTION, Investigation and reporting**
Contract of employment, 39-2-101
- collective bargaining regarding, See **COLLECTIVE BARGAINING**
- death or incapacity of employer, effect, 39-2-502
- employment agency, with, See **EMPLOYMENT AGENCIES AND OFFICES**
- "employment" defined by, 39-2-101, 39-51-203, 39-71-401
- liability, provisions discharging void, 39-2-703 — 39-2-705
- personal service, for — duration, 28-2-722, 39-2-602, 39-2-603
- relatives, renewal of contract, 2-2-302
- renewal, 2-2-302, 39-2-603
- specific performance unavailable, 27-1-412
- strikebreakers, for, 39-33-203
- successor employer bound when, 39-2-502
- term of employment, 28-2-722, 39-2-602, 39-2-603
- wage provisions
  - successor employer bound when, 39-2-502
  - violating contracts to be void, 39-3-208
- wrongful discharge
  - common-law remedies, preemption, 39-2-913
  - exemptions, 39-2-912

LABOR AND EMPLOYMENT (Continued)

Contractors, See **PUBLIC CONTRACTORS' LICENSING; PUBLIC CONTRACTS, Contractors**
Contracts, public, See **PUBLIC CONTRACTS**, generally
Convicted persons, formerly, See **OFFENDERS, FORMER**
Cooperation with federal agencies, 39-1-104
Corrections facilities and programs, community — offenders placed in, 53-30-303, 53-30-323, 53-30-326
Cost definitions, 30-14-202
Covenants not to compete, 28-2-703 — 28-2-705
Credit unions, See **CREDIT UNIONS**
Crime victims and witnesses, assistance in notification of employer, 46-24-205
Criminal charges, See **Violations; CRIMES, Employment**
Criminal proceedings, release of defendant — conditions, 46-9-108
Custom and usage, conformity of employee, 39-2-405
Damages
  blacklisting of employees, 39-2-801 — 39-2-803
  fellow servant, negligence of
    mining employees, 39-2-704
    railroad employees, 39-2-703
  nature of employment, misrepresentation, 39-2-303
Death of
  employee
    coroner, inquiry by, 46-4-122
    fellow servant, liability, See **Fellow servant**
    occupational disease benefits, 39-72-403, 39-73-109
    silicosis benefits, 39-73-109
    surviving employee, responsibility, 39-2-411
    termination of employment, 39-2-501
    workers' compensation, See **WORKERS' COMPENSATION**
  employer, 39-2-502
Debt adjustment by employer, 31-3-203
Delivery personnel, overtime compensation exclusions, 39-3-406
Department of, See **LABOR AND INDUSTRY, DEPARTMENT OF**
Dependent care assistance, income tax credits or deductions, 15-30-186, 15-30-201, 15-31-131
Depositaries' services, applicability of laws, 70-6-207
Depositions, disqualification in employer-employee relationship, Title 25, chapter 20, M.R.Civ.P., Rule 28(c)
Detention center inmates
  annoyance prohibited, 7-32-2247
  county detention center work program, 7-32-2225 — 7-32-2227
  release, temporary — for, 7-32-2246
  work release program, 46-18-701 — 46-18-705
Development programs, See **ECONOMIC DEVELOPMENT**, generally; **INDUSTRIES AND INDUSTRIAL DEVELOPMENT, Development projects**
Diligence, obligation of employee, 28-1-202, 39-2-401 — 39-2-403
Disabled persons, See also **Preference to handicapped persons**
  certification, 39-30-103, 39-30-106, 39-30-107
  discriminatory practices, See **DISCRIMINATION**
  medicaid, eligibility when, 53-6-131
  minimum wage and overtime compensation exclusions, 39-3-406
  sheltered workshops, Title 18, chapter 5, part 1; Title 53, chapter 7, part 2
  state policy, 49-4-202
  vocational rehabilitation, See **PUBLIC ASSISTANCE, Vocational rehabilitation**
  workers' compensation benefits, See **WORKERS' COMPENSATION**

LABOR AND EMPLOYMENT (Continued)

Discharge of employee, See **Termination of employment; Wrongful discharge**
Discrimination, See **DISCRIMINATION, Employment; Government, state and local**
  preferences, See **Preference** entries; **BLIND OR VISUALLY DISABLED PERSONS, Vending facilities and vendors**
Diseases, See **Health safeguards; OCCUPATIONAL DISEASE**
Displaced homemakers, See **DISPLACED HOMEMAKERS**
Disputes, See **COLLECTIVE BARGAINING, Disputes**
Domestic service, See also **Personal services contracts**
  hours of work, 39-2-604
  nursing laws inapplicable, 37-8-103
  unemployment insurance coverage, 39-51-202, 39-51-204, See also **UNEMPLOYMENT INSURANCE**
  workers' compensation coverage exclusion, 39-71-118, 39-71-401
Drivers, overtime compensation exclusions, 39-3-406
Drug offenses, probation conditions, 45-9-202
Drug use, blood or urine testing, 39-2-304
Elections
  disabled electors, assistance by employer not allowed, 13-13-119
  improper influence of employees' votes, 13-35-214, 13-35-215, 13-35-226, 13-35-228
  union dues not to be used for contributions, 39-31-402
Emission regulation in workplace, See **Health safeguards**
Employee ownership opportunity, 90-5-303
  business assistance services extended to employee-owned enterprises, 90-5-304
  citation of employee ownership opportunity act, 90-5-301
  ownership development
    policy, 90-5-302
    services, 90-5-305
  securities registration, exemption, 30-10-105
Employees, 39-2-301, 39-2-903
  applicants, See **Applicants for employment**
  benefits or benefit plans, trust provisions
    applicability of laws, 72-1-103, 72-33-108
    beneficiary, trust or trustee as, 72-33-203, 72-33-207
    insurance producer provisions, exemptions, 33-17-103
    minors, transfers to, 72-26-502, See **TRUSTS, Minors, transfers to**
  blood or urine testing, 39-2-304
  care, See **Care**, duty of employee
  collective bargaining, See **COLLECTIVE BARGAINING**
  counseling services or activities, applicability of professional counseling provisions, 37-23-201
  covenant not to compete, 28-2-704
  elk licenses and permits, landowner preference — designation, 87-2-501, 87-2-705
  governmental facility or agency, closure — notification, 2-18-1206, 39-2-1003
  gratuitous, 39-2-401
  hazardous chemical information, right to, Title 50, chapter 78, See **HAZARDOUS CHEMICALS**
  indemnification, 39-2-701
  injured, employment preference when, 39-71-317
  lawful product use during nonworking hours, limitations and exceptions, 39-2-313, 39-2-314
  liability, See **Liabilities**
  lie detector tests prohibited, 39-2-304
  life insurance, See **INSURANCE, LIFE, Group life; Groups and group requirements**
  negotiable instruments, fraudulent endorsement — employer responsibility, 30-3-420
  obedience to employer, 39-2-404

LABOR AND EMPLOYMENT (Continued)
Employees (Continued)

- preference to employer's business, 39-2-409
- prison industries programs, inmates, 39-71-118
- prospective, See **Applicants for employment**
- skill, degree required, 39-2-406
- substitute, responsibility, 39-2-410
- surviving employee, 39-2-411
- urine or blood testing, 39-2-304
- usage, conformity to, 39-2-405

Employers, 39-2-301, 39-2-1002
- acquisitions of employee belong to, 39-2-102, 39-2-408
- care, duty of, 39-2-701
- death, 39-2-502
- fellow servant liability, See **Fellow servant**
- governmental facility as, closure or retrenchment requirements, 39-2-1001 — 39-2-1004
- hazardous chemical information to employees, Title 50, chapter 78, See **HAZARDOUS CHEMICALS**
- incapacity, 39-2-502
- liability, See **Liabilities**
- liability insurance, See **INSURANCE, CASUALTY**, generally
- nature of employment, misrepresentation, 39-2-303
- negotiable instruments, fraudulent endorsement by employees — responsibility, 30-3-420
- ownership rights, 39-2-102, 39-2-408
- preference to employer's business, 39-2-409
- preference to injured employee when, 39-71-317

Employment Agency Act, Title 39, chapter 5, See **EMPLOYMENT AGENCIES AND OFFICES**
Employment agreements, nonapplicability of state procurement provisions, 18-4-123
Employment at will, 39-2-503
"Employment" defined, 39-2-101
Employment service, state, 39-51-201
- administration, 39-1-102
- employment agency referral, fee prohibited, 39-5-308
- establishment, 39-51-307
- maintenance, 39-1-102, 39-51-307
- Montana conservation corps programs
  - contracts with, 23-1-301
  - eligibility requirements, 23-1-312
  - referrals from, 23-1-312, 23-1-313
- unemployment insurance benefits, 39-51-2103, 39-51-2104
- winter work committee, cooperation with, 7-16-4308

Enforcement of laws, 39-1-102, 39-29-104, 39-30-207, See also **Violations**
Equal employment opportunities
- right to, 49-2-308, 49-3-201 — 49-3-203, 49-4-202, See also **DISCRIMINATION, Employment; Government, state and local**
- wages, equal pay for equal work, 2-18-208, 2-18-209, 39-3-104
- women, See **Women**

Evidence, See **EVIDENCE, Employment**
Ex-offenders, See **OFFENDERS, FORMER**
Factors, applicability of laws, 39-2-503
Fair Practices, Code of, Title 49, chapter 3, See **DISCRIMINATION, Government, state and local**
Fairs, county agricultural — employment, 7-21-3407
Family employment
- minimum wage exclusions, 39-3-406
- overtime compensation exclusions, 39-3-406

LABOR AND EMPLOYMENT (Continued)
Family employment (Continued)

- right to work, See **COLLECTIVE BARGAINING, Small businesses**
- unemployment insurance coverage exclusions, 39-51-204, See also **UNEMPLOYMENT INSURANCE**, generally
- workers' compensation coverage exclusions, 39-71-401

Federal agencies, cooperation with, 39-1-104
Federal law, applicability, 39-1-104, 39-30-108
Fellow servant, liability of
- employee, 27-1-703, 39-71-413, 39-72-402; Const., II, 16
- employer, Const., II, 16
  - affirmative defense, Title 25, chapter 20, M.R.Civ.P., Rule 8(c)
  - exculpatory contracts void, 39-2-705
  - mining companies, 39-2-704
  - railway corporations, 39-2-703
  - survival of action, 39-2-703, 39-2-704
  - tort actions, 27-1-703
  - workers' compensation
    - generally, See **WORKERS' COMPENSATION**
    - uninsured employer, 39-71-509

Fiduciaries, applicability of laws, 39-2-103, See **FIDUCIARIES**
Firing, See **Termination of employment**
Fishing licenses, employment as residence requirement, 87-2-102, 87-2-106
Floors to protect workers, 50-77-102, 50-77-106, 50-77-107
Force to protect employee, 49-1-103
Franchise disability insurance, 33-22-401, See also **INSURANCE, DISABILITY**
Furlough programs, prisoner, See **PROBATION, PAROLE, AND CLEMENCY, Supervised release**
Garnishment of wages, termination because prohibited, 39-2-302, 39-2-503
Governmental facility
- closure or retrenchment, requirements, 2-18-1201 — 2-18-1206, 39-2-1001 — 39-2-1004
- discriminatory practices, See **DISCRIMINATION, Government, state and local**
- preferences, See **Preference** entries; **BLIND OR VISUALLY DISABLED PERSONS, Vending facilities and vendors**

Gratuitous employee, duties, 39-2-401
Group insurance
- disability, See **INSURANCE, DISABILITY**
- life, See **INSURANCE, LIFE, Group life; Groups and group requirements**

Handicapped persons, See **Disabled persons; Preference to handicapped persons**
Handicapped Persons' Employment Preference Act, Title 39, chapter 30
Hazardous chemical information to employees, Title 50, chapter 78, See **HAZARDOUS CHEMICALS**
Hazardous or deleterious substance, release, 75-10-701, 75-10-715
- remedial action contractor's liability, 75-10-718

Hazardous substances, release into workplace — exclusions, 75-10-602
Health safeguards, 50-70-103, See also **OCCUPATIONAL DISEASE**
- administrative authority, 50-70-104
- asbestos regulation, See **ASBESTOS**
- citation of occupational health act of Montana, 50-70-101
- coal mines, in, 50-73-402, See also **MINES AND MINING, Safety and health protection**
- compensation, See **OCCUPATIONAL DISEASE**
- confidentiality of reports and records, 50-70-107, 50-70-109
- construction sites, temporary toilets, 50-77-105 — 50-77-107
- cooperation between governmental agencies, 50-70-105
- counsel, 50-70-106
- criminal charges, 50-70-116, 50-70-118, 50-77-107

LABOR AND EMPLOYMENT (Continued)
Health safeguards (Continued)

- educational programs, 50-70-105
- emergency orders and procedures, 50-70-111, 50-70-117
- emissions, 50-70-103
  - limits, establishment, 50-70-106, 50-70-113
  - records, 50-70-106, 50-70-109
  - variances, 50-70-114
- enforcement of provisions, by order, 50-70-105, 50-70-106, 50-70-116
- federal aid, 50-70-105, 50-70-108
- funding, 50-70-105, 50-70-108
- hazardous chemical information to employees, Title 50, chapter 78, See **HAZARDOUS CHEMICALS**
- hearings by board of health and environmental sciences, 50-70-106
  - notice, 50-70-111
  - officer, 50-70-110
  - procedure, 50-70-111
  - variances, on, 50-70-114
  - violations, on, 50-70-116, 50-70-117
- inspections, 50-70-115
- legal counsel, 50-70-106
- lunchroom standards, 50-70-113
- maternity leave, 49-2-310, 49-2-311
- mines, in, See **MINES AND MINING, Safety and health protection**
- Montana conservation corps work experience project work sites, standards, 23-1-311
- nonsmoking areas, reservation, 50-40-201 — 50-40-205
- notice of
  - hearings, 50-70-111
  - variance, 50-70-114
  - violations, 50-70-116
- nuclear regulation, See **RADIOACTIVE SUBSTANCES**, generally
- orders
  - emergency order, 50-70-111
  - enforcement, 50-70-105
  - issuance, 50-70-106
  - violations, notice may include, 50-70-116
- penalties, 50-70-118, 50-77-107
- permits for disease-causing apparatus, 50-70-112
- plan for control and abatement, 50-70-105
- policy of state, 50-70-102
- pregnancy, leave of absence, 49-2-310, 49-2-311
- protective items, 50-71-201, 50-71-203
- purpose of provisions, 50-70-102
- radiation control, See **RADIOACTIVE SUBSTANCES**, generally
- railroads, 69-14-562
- records, 50-70-109
- rehearing when, 50-70-111
- reporting of
  - disease, 50-70-107
  - hazards, 50-71-109
- research, 50-71-107
- rulemaking authority, 50-70-106
  - federal standards, exceeding by rule, 50-70-113
  - hearings on rules, 50-70-111
  - permits, for, 50-70-112
- sanitary facilities, standards, 50-70-113, 50-77-105 — 50-77-107
- silicosis prevention, 39-73-102

LABOR AND EMPLOYMENT (Continued)
Health safeguards (Continued)

- smoking in work areas, 50-40-103, 50-40-104, 50-40-106, 50-40-201 — 50-40-205, See also **PUBLIC ACCOMMODATIONS, Smoking areas**
- toilets
  - construction sites, temporary, 50-77-105 — 50-77-107
  - standards, 50-70-113
- trade secrets, evidence at hearings, 50-70-109
- violations, 50-70-118
  - emergency procedure, 50-70-117
  - fines, 50-70-118, 50-77-107
  - hearing, 50-70-116
  - notice, 50-70-116
  - order to correct, 50-70-116
  - penalties, 50-70-118
  - remedies not exclusive, 50-70-116, 50-70-118
  - toilets, temporary — failure to provide, 50-77-105, 50-77-107
  - warnings, 50-70-116
- voluntary compliance, 50-70-116
- warnings, 50-70-116

Hearsay exceptions, statements by employer to employee, Title 26, chapter 10, M.R.Ev., Rule 801
Home arrest, conditions, 46-18-1003
Honesty bonds, See **SURETY BONDS**, generally
Hours of labor, specific employments, Const., XII, 2

- agricultural employment, Const., XII, 2
- amusements, 39-4-112
- bus drivers and attendants, 39-4-102
- caretakers, 39-4-107
- carnival workers, 39-4-112
- cement plants, 39-4-109
- circuses, 39-4-112
- city employees, 7-3-4418, 7-5-4111, 39-4-102, 39-4-107
- coal miners, 39-4-104, 39-4-107
- county detention center work program participants, 7-32-2226
- county employees, 7-5-2108, 7-32-2111, 39-4-102, 39-4-107
- county sheriff's department, 7-4-2509
- custodians, 39-2-604, 39-4-107
- domestic servants, 39-2-604
- enforcement, 39-1-102
- engineers, 39-4-107
- fines for violations, 39-4-101 — 39-4-106, 39-4-109 — 39-4-112
- firefighters, 39-4-107
- hoisting engineers, 39-4-101
- janitors, 39-2-604, 39-4-107
- livestock employment, Const., XII, 2
- mine workers, 39-4-101, 39-4-103, 39-4-104, 39-4-107
- Montana conservation corpsmembers, 23-1-313
- pharmacists, 39-4-105
- public amusements, 39-4-112
- public employees, 39-4-102, 39-4-107
- quarries, 39-4-109
- restaurants, 39-4-111
- retail stores, 39-4-105
- school district employees, 39-4-107
- servants, 39-2-604
- smelter workers, 39-4-103, 39-4-107

LABOR AND EMPLOYMENT (Continued)
Hours of labor, specific employments (Continued)

- state employees, 39-4-107
- strip mine workers, 39-4-104
- sugar refineries, 39-4-110
- telephone operators, 39-4-106
- underground mine workers, 39-4-103, 39-4-107
- violations, 39-1-102, 39-4-101 — 39-4-106, 39-4-109 — 39-4-112
- warehousemen, 39-4-105

Human Rights, Commission for, See **DISCRIMINATION**
Hunting licenses, employment as residence requirement, 87-2-102, 87-2-106
Impossibilities, employee not required to perform, 39-2-404
Incapacity of

- employee, 39-2-501
- employer, 39-2-502

Indemnification of employee, 39-2-701, See also **WORKERS' COMPENSATION, Benefits**, indemnity
Indian reservation residents, preference when, 2-18-111, 18-1-110, 49-2-303, 49-2-403, 49-3-103
Infectious waste management, employee training, 75-10-1005
Injunctions, See **INJUNCTION, WRIT OF**
Injuries, See **Fellow servant; Liabilities; Personal injury actions; Safety; WORKERS' COMPENSATION**
Inspection of workplace, 39-1-103

- hazardous chemical provisions, 50-78-301
- health inspections, 50-70-115
- safety inspections, 50-71-109, 50-71-321, 50-78-301
- wage matters, for, 39-3-210

Institutional employees, See **Work programs** under specific institution or disability; **INSTITUTIONS, Work programs for residents, patients, or inmates**
Instructions of employer, employee's obedience to, 39-2-404, 39-2-701
Insurance

- administrator provisions, exclusion, 33-17-102
- blanket disability, See **INSURANCE, DISABILITY**
- franchise disability, 33-22-401, See also **INSURANCE, DISABILITY**
- group disability, See **INSURANCE, DISABILITY**
- group life, See **INSURANCE, LIFE, Groups and group requirements**
- health maintenance organization, 33-31-304
- insurance producer provisions, applicability, 33-17-201
- life, See **INSURANCE, LIFE, Group life**
- limited benefit disability, 33-22-1201 — 33-22-1205
  - tax credits for providing, 15-30-129, 15-31-132
- occupational disease, See **OCCUPATIONAL DISEASE**
- silicosis, See **SILICOSIS**
- small employer health insurance availability, Title 33, chapter 22, part 18
- unemployment, See **UNEMPLOYMENT INSURANCE**
- workers' compensation, See **WORKERS' COMPENSATION**

Investigations

- collective bargaining matters, 39-31-106
- consumer report on employee, See **CONSUMER PROTECTION, Investigation and reporting**
- occupational health — prevention, control, and abatement, 50-70-105
- safety, See **Safety**
- silicosis benefits claims, 39-73-106
- unemployment insurance claims, 39-51-301
- wage irregularities, 39-3-209, 39-3-210
- workers' compensation claims, 39-71-905

LABOR AND EMPLOYMENT (Continued)

Investments, Board of — representation on, 2-15-1808
Job search programs, See **PUBLIC ASSISTANCE, Employment of recipient**
Job Service, See **Employment service, state**
Job sharing, 2-18-101, 2-18-102, 2-18-107, See also **PUBLIC OFFICERS OR EMPLOYEES**
Job training programs, See also **PUBLIC ASSISTANCE, Vocational rehabilitation**
  afdc recipients, work experience and training program, See **PUBLIC ASSISTANCE, Aid to families with dependent children** (AFDC), employment of recipient; **Job training and employment programs**
  development by department of labor and industry, 39-6-101
  displaced homemakers, See **DISPLACED HOMEMAKERS**
  Montana conservation corps program, 23-1-312, 23-1-313
  older Montanans, 52-3-504
  public assistance recipients, See **PUBLIC ASSISTANCE, Job training and employment programs**
  state employees, retraining and career development programs, 2-18-1203
  unemployment insurance, See also **UNEMPLOYMENT INSURANCE**
    coverage exclusions, 39-51-204
    federal programs, approved training under, 39-51-2602
  workers' compensation coverage exclusions, 39-71-118
Juror, employer-employee relationship grounds for challenge, 25-7-223, 46-16-115
Labor and Industry, Department of, See **LABOR AND INDUSTRY, DEPARTMENT OF**
Labor Appeals, Board of, See **LABOR APPEALS, BOARD OF**
Labor organizations, See **COLLECTIVE BARGAINING**
Landlord-tenant provisions, applicability, 70-24-104
Lawful product, use during nonworking hours — discrimination prohibited and exceptions, 39-2-301
Layoffs, See **Termination of employment**
Liabilities
  blacklisting, for, 39-2-802, 39-2-803
  care, duty of, See **Care** entries
  fellow servant, See **Fellow servant**
  indemnification of employee, 39-2-701
  limited partnerships, employees of, 35-12-703
  negligence, See **Negligence**
  professional corporation employee, 35-4-404
  substitute employees, 39-2-410
  surviving employee, 39-2-411
Lie detector tests for employees, 39-2-304
Liens
  construction, contracting owner, 71-3-522
  wages, for, Title 71, chapter 3, parts 3 — 5, See **LIENS, Construction liens; Salaries and wages, liens for**
Life insurance, employee and group, See **INSURANCE, LIFE, Group life**
Little Davis-Bacon Act, Title 18, chapter 2, part 4
Limited partnerships, employee liability for obligations of, 35-12-703
Local government powers, 7-1-111
Lockouts, See **COLLECTIVE BARGAINING, Disputes; Strikes**
Losses of employee, indemnification, 39-2-701
Lunchrooms, standards, 50-70-113
Maritime employment, unemployment insurance coverage exclusions, 39-51-204, See also **UNEMPLOYMENT INSURANCE**, generally
Married persons, work and labor of, 40-2-207
Master and servant, 39-2-601, See **Personal services contracts**, See also this main category generally

LABOR AND EMPLOYMENT (Continued)

Maternity leave, 49-2-310, 49-2-311
Medical examinations, preemployment, 39-2-301, 39-72-404
Medicaid, eligibility when, 53-6-131
Menial labor, minimum wage and overtime compensation exclusions, 39-3-406, See also **Casual labor**
Military service
  employment, depriving of — unlawful, 10-1-603, 10-1-615
  enlistment, dissuasion unlawful, 10-1-603, 10-1-615
  leave of absence from employment, 10-1-604, See also **VETERANS, Reemployment**
  reserve training, 10-1-604
  veterans, See **Preference to veterans; VETERANS, Reemployment**
Minimum wage, See **WAGES AND SALARIES**
Minors, See **MINORS, Employment**
Misconduct of employee, 39-2-606
Montana Conservation Corps, Title 23, chapter 1, part 3, See **MONTANA CONSERVATION CORPS**
Montana labor and industry, preference to
  public contracts, See **PUBLIC CONTRACTS, Preferences**
  small businesses, purchase preference to, 18-5-307
Nature of employment, misrepresentation, 39-2-303
Neglect, failure to provide seats for employees, 39-2-201
Negligence
  complaint, form, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 13
  employee liability, 39-2-702
  employee, of, 27-1-703
  employer, of, 39-2-701, 39-2-705
  exculpatory contracts void, 39-2-705
  fellow servants, See **Fellow servant**
  mining companies, negligence of fellow employee, 39-2-704
  professional corporation employees, 35-4-404
  railway corporations, negligence of fellow employee, 39-2-703
  third parties, of, 39-71-412, 39-72-402
  workers' compensation
    generally, See **WORKERS' COMPENSATION**
    uninsured employer's employee, 39-71-509
Nepotism, Title 2, chapter 2, part 3, See also **NEPOTISM**
Nonsmoking areas, reservation, 50-40-201 — 50-40-205
Notice
  accounts, receipt of items for, 39-2-407
  governmental facility or agency, closure or retrenchment, 2-18-1206, 39-2-1003
  health safeguards, See **Health safeguards**
  power of attorney to gratuitous employee, notice he will not act under, 39-2-401
  preference to
    handicapped persons, preference and hiring decision, 39-30-206, 39-30-207
    veterans, preference and hiring decision, 39-29-103, 39-29-104
  safety, See **Safety**
  skill of employee, lack, 39-2-406
  termination, 39-2-502, 39-2-503, 39-2-902
Obedience to employer, 39-2-404, 39-2-701
Occupational Disease Act of Montana, Title 39, chapter 72, See **OCCUPATIONAL DISEASE**
Occupational Health Act of Montana, Title 50, chapter 70, See **Health safeguards**
Offenders, former, See **OFFENDERS, FORMER**
Officious service, 28-1-202
Older Montanans, job training or development, 52-3-504

LABOR AND EMPLOYMENT (Continued)

Organizations, See **COLLECTIVE BARGAINING**
Own benefit, employee for, 28-1-202, 39-2-403
Ownership of
  accountings by employee
    duty, 39-2-407
    return of things, 39-2-408, 39-2-605
  acquisitions of employee by virtue of employment, 39-2-102
  products of labor, 70-1-104
  return of things to employer on demand, 39-2-408
Ownership opportunity, employee, See **Employee ownership opportunity**
Performance bonds, See **SURETY BONDS**, generally
Personal injury actions, See also **Liabilities**; **Negligence**
  employer, exculpatory contracts prohibited, 39-2-705
  employer's right of action for employee's injury, 27-1-516
  fellow employee involvement, See **Fellow servant**
  third parties, injury by, 39-71-412, 39-72-402
  third parties, injury of, 27-1-512
  workers' compensation, See **WORKERS' COMPENSATION**
Personal services contracts, 39-2-601, See also **AGENCY**, generally
  abduction of employee, tort action, 27-1-515
  accounting by employee, 28-1-202, 39-2-605
  confidentiality, violation, 39-2-606
  domestic service, See **Domestic service**
  duration of contract, 28-2-722
  force to protect employee, 49-1-103
  hours of labor, 39-2-604
  injury of employee, tort action of employer, 27-1-516
  jurisdiction of state established by, Title 25, chapter 20, M.R.Civ.P., Rule 4B
  misconduct of employee, 39-2-606
  officious rendering of service, 28-1-202
  renewal of employment, 28-2-722, 39-2-603
  seduction of employee, tort action, 27-1-514
  specific performance unavailable to enforce, 27-1-412
  termination of employment, 28-2-722, 39-2-602, 39-2-603
  unemployment insurance, 39-51-201, See **UNEMPLOYMENT INSURANCE**
  wages
    assignment for benefit of creditors, preferred claim, 31-2-205
    officious service, 28-1-202
    unemployment insurance, 39-51-201, See **UNEMPLOYMENT INSURANCE**
Personnel Appeals, Board of, See **PERSONNEL APPEALS, BOARD OF**
Physical examinations, preemployment, 39-2-301, 39-72-404
Plant closures, 75-20-304
Political activity, improper, 13-35-214, 13-35-215, 13-35-226, 13-35-228, 39-31-402
Polygraph tests for employees, 39-2-304
Port authorities, purpose and activities, 7-14-1104, 7-14-1111
Postattack emergency regulation, 10-3-505
Preference to employer's business, 39-2-409
Preference to handicapped persons, 39-30-103
  antidiscrimination laws, not violation of, 49-2-405, 49-3-103
  board of veterans' affairs, 10-2-102
  certification of handicapped persons, 39-30-103, 39-30-106, 39-30-107
  citation of Montana handicapped persons' employment preference act, 39-30-101
  claim, 39-30-206
  conflict of laws, 39-30-108
  duration, 39-30-203

LABOR AND EMPLOYMENT (Continued)
Preference to handicapped persons (Continued)

  eligibility, 39-30-202
  enforcement, 39-30-207
  federal laws, conflict with, 39-30-108
  initial hiring, 39-30-201
    defined, 39-30-103
  notice, 39-30-206, 39-30-207
  purpose of provisions, 39-30-102
  remedy for violations, 39-30-207
  rules, adoption, 39-30-106
Preference to Indian reservation residents when, 2-18-111, 18-1-110, 49-2-303, 49-2-403, 49-3-102
Preference to injured worker when, 39-71-317
Preference to Montana labor and industry
  public contracts, See **PUBLIC CONTRACTS, Preferences**
  small businesses, purchase preference to, 18-5-307
Preference to veterans, 39-29-101
  antidiscrimination laws, not violation of, 49-2-405, 49-3-103
  claim, 39-29-103
  eligibility, 39-29-102, 39-29-111
  enforcement, 39-29-104
  initial hiring, 39-29-102
  Montana veterans' home, superintendent of, 10-2-402, 39-29-102, 49-2-405, 49-3-103
  notice, 39-29-103, 39-29-104
  point preference, 39-29-102 — 39-29-104
  reduction in force, retention during, 39-29-111
  remedy for violations, 39-29-104
  rules, adoption, 39-29-112
Pregnancy, 49-2-310, 49-2-311
Prisoners, See **DETENTION CENTERS, County detention center work program; Work release program; OFFENDERS, FORMER, Employment restrictions; PRISONS AND PRISONERS, Work programs**
Products of labor, ownership, 70-1-104
Professional corporations, employee liability, 35-4-404
Profit sharing — securities registration, exemption, 30-10-104
Promotion, investigative reports on employee, See **CONSUMER PROTECTION, Investigation and reporting**
Prospective employees, See **Applicants for employment**
Protection of employee, right to use force, 49-1-103
Public assistance recipients, See **PUBLIC ASSISTANCE, Employment of recipient**
Public employees, See **PUBLIC OFFICERS OR EMPLOYEES**
Railroads
  closure, protection of employees affected by, 69-14-1001
  sale or transfer of line, labor agreements, 69-14-1103
Reciprocal Agreement for Collection of Wages Act of 1977, Title 39, chapter 3, part 3, See **WAGES AND SALARIES, Reciprocal enforcement of payment**
Reclamation and development grants program projects, creation of jobs, 90-2-1113
Relatives, hiring, Title 2, chapter 2, part 3, See also **NEPOTISM**
Renewal of employment, 28-2-722, 39-2-603
Restaurant, Bar, and Tavern Wage Protection Act, Title 39, chapter 3, part 6, See **WAGES AND SALARIES, Restaurants and bars**
Restraint of trade, exception, 30-14-206
Retirement, See **RETIREMENT AND RETIREMENT SYSTEMS**; See also specific retirement system
Retrenchment of governmental facility, 39-2-1001 — 39-2-1004
Return of items to employer, 39-2-408, 39-2-605

LABOR AND EMPLOYMENT (Continued)

Reward, duties of employee for, 39-2-402
Room and board arrangements
  landlord-tenant provisions, applicability, 70-24-104
  meal allowance or cost of meals, exclusion from minimum wage, 39-3-402
  minimum wage, 39-3-402, 39-3-406
  overtime compensation, 39-3-402, 39-3-405, 39-3-406
  unemployment insurance coverage, 39-51-201
  withholding from wages, 39-3-204
Safety, 50-71-102
  accident reports, 39-71-307, 50-71-325, See also **WORKERS' COMPENSATION**
  administration of provisions, 39-71-201, 50-71-106
  advisers to department of labor and industry, 50-71-108
  advisory committees, 50-71-311
  applicability of laws
    preexisting structures and equipment, 50-71-104
    public contractors, 50-71-103
  cessation of work when, 50-71-327
  citation of safety act, 50-71-101
  closure of workplace when, 50-71-327
  codes, See **Safety**, safety codes
  compensation for injury, See **WORKERS' COMPENSATION**
  construction site, on
    floors, 50-77-102, 50-77-106, 50-77-107
    openings, 50-77-104, 50-77-106, 50-77-107
    scaffolding, 50-77-101, 50-77-103, 50-77-106, 50-77-107
  consultation services, 39-71-1503 — 39-71-1508
  educational programs and services, 39-71-1504, 39-71-1507
  employees
    blood or urine testing, 39-2-304
    defined, 50-71-102
    report of violations, 50-71-322
    responsibility for safety, 50-71-203
  employers' responsibility, 50-71-102, 50-71-201, 50-71-202
  equipment, use prohibited when, 50-71-325
  floors on construction sites, 50-77-102, 50-77-106, 50-77-107
  funding, 39-71-201
  hazardous chemical information to employees, Title 50, chapter 78, See **HAZARDOUS CHEMICALS**
  hearings
    closure or cessation of work, on order for, 50-71-327
    equipment, when use prohibited, 50-71-325
    evidence compelled, 50-71-303
    inspection reports, use in, 50-71-321
    notice, 50-71-302
    place, 50-71-106, 50-71-327
    rulemaking authority, 50-71-106
    time, 50-71-106, 50-71-327
    violations, on, 50-71-323
  injunction of violations, 50-71-326
  injuries, compensation, See **WORKERS' COMPENSATION**
  inspections of workplace, 50-71-109, 50-71-321
  investigation of violations
    health hazards discovered during, 50-71-109
    rulemaking authority, 50-71-106
    when, 50-71-322

LABOR AND EMPLOYMENT (Continued)
Safety (Continued)

- judicial review, 50-71-334
- Montana conservation corps work experience project work sites, standards, 23-1-311
- mines, See **MINES AND MINING**
- notice
    - appeals to district court, 50-71-334
    - equipment in violation, prohibition of use, 50-71-325
    - hearings, 50-71-302
    - rehearings, 50-71-333
- nuclear regulation, See **RADIOACTIVE SUBSTANCES**, generally
- openings at construction sites, protection, 50-77-104, 50-77-106, 50-77-107
- orders to correct violations, contents, 50-71-323
    - closure or cessation of work, for, 50-71-327
    - equipment in violation, prohibition of use, 50-71-325
    - judicial review, 50-71-334
    - time for compliance, 50-71-324
- preexisting structures and equipment, applicability of laws, 50-71-104
- protective items, 50-71-201, 50-71-203
- public contractors, applicability of laws, 50-71-103
- radiation control, See **RADIOACTIVE SUBSTANCES**
- railroads, 69-14-562
- rehearings, 50-71-331, 50-71-333
    - ex parte, 50-71-332
    - extension of time, 50-71-333
    - judicial review, 50-71-334
    - notice, 50-71-333
    - variations to safety codes, on, 50-71-315
- required, 50-71-201, 50-71-202
- research, 50-71-107
- rulemaking authority, 50-71-106, 50-71-108, 50-71-301, 50-71-302, 50-71-311, 50-71-331, 50-71-334
- safety codes
    - advisory committees, 50-71-311
    - amendment, 50-71-311 — 50-71-314
    - assistance in compliance, 50-71-316
    - authorization, 50-71-301, 50-71-311
    - consistency with other codes, 50-71-312
    - effective date, 50-71-313
    - exceptions when, 50-71-315
    - filing with secretary of state, 50-71-313
    - hearings on, 50-71-302
    - notice, 50-71-302
    - publication, 50-71-314
    - rehearing, 50-71-315
    - repeal, 50-71-311, 50-71-314
    - review, 50-71-107
    - variations when, 50-71-102, 50-71-315
- safety devices and items
    - prescribed by department, 50-71-301
    - removal, damage, or refusal to use — unlawful, 50-71-203
    - required, 50-71-201
- safety program required, 39-71-1505, 39-71-1507
- scaffolding, 50-77-101, 50-77-103, 50-77-106, 50-77-107
- standards, 50-71-301
- statistics on, 50-71-107
- structures to be safe, 50-71-104, 50-71-202

LABOR AND EMPLOYMENT (Continued)
Safety (Continued)

  supervision of provisions, 50-71-106
  use of equipment prohibited when in violation, 50-71-325
  violations
    closure or cessation of work when, 50-71-327
    complaint to department, 50-71-322
    criminal charges, 50-71-110
    equipment, use prohibited when, 50-71-325
    fines, 50-77-107
    injunction, 50-71-326
    investigation, 50-71-106, 50-71-322
    orders to correct, 50-71-323
    report to employer, 50-71-322
Safety Act, Title 50, chapter 71, See **Safety**
Safety Culture Act, Title 39, chapter 71, part 15, See **WORKERS' COMPENSATION**
Salaries, See **WAGES AND SALARIES**
Sanitary facilities, See also **Health safeguards**
  construction sites, 50-77-105 — 50-77-107
  standards, 50-70-113
Scaffolding, 50-77-101, 50-77-103, 50-77-106, 50-77-107
Scientific organizations, unemployment insurance coverage, 39-51-203, See also **UNEMPLOYMENT INSURANCE**
Seats for employees, 39-2-201
Securities, registration exemption, 30-10-104
Seduction of employee, suit for, 27-1-514
Sexual offenders, prohibitions and restrictions, 46-18-255
Self-organization, employees' right, See **COLLECTIVE BARGAINING**
Sheltered workshops, Title 18, chapter 5, part 1; Title 53, chapter 7, part 2
Skill of employee, duty to use, 39-2-406
Small businesses
  loan participations to create jobs, incentives, 17-6-318, 17-6-319
  right to work, See **COLLECTIVE BARGAINING, Small businesses**
Small employer health insurance availability, Title 33, chapter 22, part 18
Smoking in work area, 50-40-103, 50-40-104, 50-40-106, 50-40-201 — 50-40-205, See also **PUBLIC ACCOMMODATIONS, Smoking areas**
Social and Rehabilitation Services, Department of — certification of handicapped persons, 39-30-103, 39-30-106, 39-30-107
Social worker provisions, applicability to employers, 37-22-305
State employees, See **PUBLIC OFFICERS OR EMPLOYEES**
State employment service, See **Employment service, state**
Strikebreakers, See **COLLECTIVE BARGAINING**
Strikes, See **COLLECTIVE BARGAINING**
Substitute employees, liabilities, 39-2-410
Surety bonds, See **SURETY BONDS, generally**
Surviving employees, duties, 39-2-411
Termination at will, 39-2-503, 39-2-902
Termination of employment
  attachment of wages, prohibited due to, 39-2-302, 39-2-503
  blacklisting, See **Blacklisting**
  child support income withholding, prohibited, 40-5-422
  death of employee, 39-2-501
  death of employer, 39-2-502
  "discharge" defined, 39-2-903
  employment agency, inducement by prohibited, 39-5-305
  expiration of job, 39-2-501
  fault of employee, 39-3-102

LABOR AND EMPLOYMENT (Continued)
Termination of employment (Continued)

- fault of employer, 39-3-103
- garnishment of wages, prohibited due to, 39-2-302, 39-2-503
- governmental facility or agency, closure or retrenchment — notification, 2-18-1206, 39-2-1003
- hazardous chemical information, employee rights — termination due to, prohibited, 50-78-204
- incapacity of employee, 39-2-501
- incapacity of employer, 39-2-502
- occupational deafness claims, filing when, 39-71-808
- occupational disease benefit claims, for filing — not allowed, 39-71-317
- personal services contract, 28-2-722, 39-2-602, 39-2-606
- pregnancy of employee, prohibited due to, 49-2-310
- reason must be given on demand, 39-2-801
- servant, of, 39-2-602, 39-2-606
- unemployment insurance, See **UNEMPLOYMENT INSURANCE**
- wages upon, See **WAGES AND SALARIES, Termination of employee**
- will, at, 39-2-503, 39-2-902
- workers' compensation benefit claims, for filing — not allowed, 39-71-317
- wrongful discharge, See **Wrongful discharge**

Trade unions, See **COLLECTIVE BARGAINING**
Training, See **Job training programs; APPRENTICESHIP AND APPRENTICES**
Transportation employees, overtime compensation exclusions, 39-3-406
Trusts, employees, 39-2-103, 72-34-337, See **TRUSTS**, generally
Unemployment insurance, See **UNEMPLOYMENT INSURANCE**
Unfair labor practices, See **Violations; COLLECTIVE BARGAINING, Unfair labor practices**
Unfair trade practices, employee as investigator, 30-14-122
Union label requirement for public printing, exceptions, 18-7-104
Unions, See also **COLLECTIVE BARGAINING**
- community service advisory council, representation, 90-14-104
- disabled electors, assistance to — not allowed, 13-13-119
- insurance administrator provisions, exclusion, 33-17-102
- small employer health benefit plan committee, representation on, 33-22-1812

Unlawful acts
- employee not bound to perform, 39-2-404
- generally, See **Violations**

Unreasonable burden on employee, performance not required, 39-2-404
Urine or blood testing, 39-2-304
Usage, employee's conformance required, 39-2-405
Veterans, See **Military service; Preference to veterans; VETERANS, Reemployment**
Violations, 39-1-102
- aliens, employment when unauthorized, 39-2-305
- bartenders, employment when under 18, 39-2-306
- blacklisting, 39-2-801 — 39-2-804
- blood or urine testing regulations, 39-2-304
- collective bargaining, See **COLLECTIVE BARGAINING, Unfair labor practices**
- criminal charges, See **CRIMES, Employment**
- elections, improper activities, 13-35-214, 13-35-215, 13-35-226, 13-35-228, 39-31-402
- employment
  - agencies, See **EMPLOYMENT AGENCIES AND OFFICES, Violations**
  - preference, 39-29-104, 39-30-207
- equal pay for equal work, failure to give, 39-3-104
- federal law, applicability, 39-1-103
- fines, 39-2-201, 39-2-301, 39-2-305, 39-4-101 — 39-4-106, 39-4-109 — 39-4-112, 50-70-118, 50-77-107

LABOR AND EMPLOYMENT (Continued)
Violations (Continued)

- health, 50-70-118, 50-77-107, See **Health safeguards**, violations
- hours of labor, specific provisions, 39-4-101 — 39-4-106, 39-4-109 — 39-4-112
- investigations, See **Investigations**
- lie detector test as condition of employment, 39-2-304
- maternity leave violations, 49-2-310, 49-2-311
- medical examination, requiring employee to pay costs, 39-2-301
- political activities, 13-35-214, 13-35-215, 13-35-226, 13-35-228, 39-31-402
- polygraph test as condition of employment, 39-2-304
- safety, 50-71-110, See **Safety**, violations
- salaries, See **WAGES AND SALARIES, Violations**
- seats for employees, failure to provide, 39-2-201
- unemployment insurance, See **UNEMPLOYMENT INSURANCE, Violations**
- urine or blood testing regulations, 39-2-304
- wages, See **WAGES AND SALARIES, Violations**
- workers' compensation, See **WORKERS' COMPENSATION, Violations**

Visually disabled persons, See **Preference to handicapped persons; BLIND OR VISUALLY DISABLED PERSONS; DISCRIMINATION, Disabled persons**
Vocational rehabilitation, See **PUBLIC ASSISTANCE**
Volunteer employees, duties, 39-2-401
Wages, See **WAGES AND SALARIES**
Water Pollution Control Advisory Council, representation on, 2-15-2107
Welfare recipients, See **PUBLIC ASSISTANCE, Employment of recipient**
Winter work program in cities and towns, See **CITIES AND TOWNS**
Women

- affirmative action
  - cooperation between governmental entities, 39-7-103, 39-7-104
  - funding, 39-7-103
  - information resources, 39-7-103
  - legislative intent and purpose of provisions, 39-7-101
  - rulemaking authority, 39-7-102
- displaced homemaker program, See **DISPLACED HOMEMAKERS**
- equal pay for equal work, 2-18-208, 2-18-209, 39-3-104
- maternity leave, 49-2-310, 49-2-311

Work camps, health regulation, 50-52-101, See **CAMPING AND CAMPGROUNDS**, generally
Workers' compensation, See **WORKERS' COMPENSATION**
Work programs

- afdc recipients, work experience and training program, See **PUBLIC ASSISTANCE, Aid to families with dependent children** (AFDC), employment of recipient
- blind or visually disabled persons, vocational rehabilitation, See **BLIND OR VISUALLY DISABLED PERSONS, Vocational rehabilitation**
- inmates, See **DETENTION CENTERS, County detention center work program; Work release program**
- prisoners, See **PROBATION, PAROLE, AND CLEMENCY, Supervised release; Work release program**
- sheltered workshops, Title 18, chapter 5, part 1; Title 53, chapter 7, part 2
- vocational rehabilitation, See **PUBLIC ASSISTANCE, Vocational rehabilitation**
- welfare recipients, See **PUBLIC ASSISTANCE, Employment of recipient**
- winter, See **CITIES AND TOWNS, Winter work program**
- work-study programs, See **UNIVERSITY SYSTEM**

Work-study programs, See **UNIVERSITY SYSTEM**
Wrongful discharge, 39-2-903

- actions, 39-2-314, 39-2-911
- appeals, administrative, 39-2-911
- arbitration, 39-2-914, 39-2-915

LABOR AND EMPLOYMENT (Continued)
Wrongful discharge (Continued)

  citation of wrongful discharge from employment act, 39-2-901
  common-law remedies, preemption, 39-2-913
  contract, express or implied — preemption, 39-2-913
  damages, 39-2-905
  defenses, 39-2-911
  elements, 39-2-904
  exemptions, 39-2-912
  internal procedures, exhaustion, 39-2-911
  lost wages and fringe benefits, award limited, 39-2-905
  purpose of provisions, 39-2-902
  remedies, 39-2-905
    common-law, preemption, 39-2-913
    exclusive, 39-2-902, 39-2-914
  statute of limitation, 39-2-911
  tort claims, preemption, 39-2-913

LABOR AND INDUSTRY, DEPARTMENT OF
  See also **EXECUTIVE BRANCH**, generally
Apprenticeship, authority, See **APPRENTICESHIP AND APPRENTICES**
Boards
  labor appeals, See **LABOR APPEALS, BOARD OF**
  personnel appeals, See **PERSONNEL APPEALS, BOARD OF**
Boilers, safety regulation, See **BOILERS AND STEAM ENGINES**
Child-care programs administered by, coordination, 52-2-704, See also **DAY CARE**
Child labor, See **MINORS, Employment**
Closure of governmental facilities, 39-2-1001 — 39-2-1004
Coal mining, safety regulation, Title 50, chapter 73
Collective bargaining, authority, See **COLLECTIVE BARGAINING**
Commissioner of, 2-15-1701, 39-1-101; Const., VI, 8; XII, 2
  depositions taken by, 39-1-103, 39-3-210
  indian reservation residents, hiring preference — duties, 2-18-111, 18-1-110
  safety employment education and training advisory committee, members — appointment, 2-15-1708
  subpoenas, issuance, 18-2-424, 39-1-103, 39-3-210
  wages, See **WAGES AND SALARIES**
Commission for Human Rights, See **DISCRIMINATION, Human Rights, Commission for**
Community Corrections Boards, representation on, 53-30-312
Community corrections facilities or programs, offender's employment — assistance, 53-30-323
Construction blasting and blasters, duties, Title 37, chapter 72
Creation, 2-15-1701; Const., XII, 2
Defined, 39-1-101
Depositions, power to take, 39-1-103, 39-3-210
Deputies, 39-1-103
Displaced homemaker program, authority, See **DISPLACED HOMEMAKERS**
Employment service, state — operated by, 39-1-102, 39-51-201, 39-51-307
Enforcement authority, 39-1-102
Equal employment opportunities promoted by, 49-3-202
Examiners, Board of — agreements with, 17-5-411 — 17-5-413, 17-5-431, 17-5-433
Explosives, use regulations, Title 37, chapter 72
Fair Practices, Code of, Title 49, chapter 3, See **DISCRIMINATION, Government, state and local**
Federal agencies, cooperation with, 39-1-104
Federal laws, applicability, 39-1-104

LABOR AND INDUSTRY, DEPARTMENT OF (Continued)

Hoisting engines, duties, See **HOISTING ENGINES**
Hours of labor, enforcement, 39-1-102
Human Rights, Commission for, See **DISCRIMINATION**
Inspection authority, 39-1-103, See also **LABOR AND EMPLOYMENT, Inspection of workplace**
Labor Appeals, Board of, See **LABOR APPEALS, BOARD OF**
Little Davis-Bacon Act, Title 18, chapter 2, part 4
Managed care, Title 39, chapter 71, part 11, See **WORKERS' COMPENSATION**
Mines, safety and health regulation, Title 50, chapters 72 and 73
Minors' employment, See **MINORS**
Montana Conservation Corps program, Title 23, chapter 1, part 3, See **MONTANA CONSERVATION CORPS**
Municipal winter work program, cooperation, 7-16-4308
Oaths, administration by, 39-1-103, 39-3-210
Occupational disease, duties, Title 39, chapter 72, See **OCCUPATIONAL DISEASE**
Personnel, 39-51-301, 39-51-304
Personnel Appeals, Board of, See **PERSONNEL APPEALS, BOARD OF**
Plumbing apprentices, registration, 37-69-302, 37-69-323
Preferred providers, Title 39, chapter 71, part 11, See **WORKERS' COMPENSATION**
Property acquisition and disposition, 39-51-308
Public assistance recipients, See **PUBLIC ASSISTANCE**
Public contracts, duties, Title 18, chapter 2, part 4
Retrenchment of governmental facilities, 39-2-1001 — 39-2-1004
Revenue, Department of — information from employer's payroll withholding reports, 15-30-303
Safety Culture Act, Title 39, chapter 71, part 15, See **WORKERS' COMPENSATION**
Safety bureau, chief, 50-71-105
Safety, powers and duties
  boilers, See **BOILERS AND STEAM ENGINES**
  coal mines, Title 50, chapter 73
  mining, Title 50, chapter 72
  occupational, See **LABOR AND EMPLOYMENT, Safety**
Salaries, 39-71-201
Seal, 39-51-301
Silicosis benefits, duties, See **SILICOSIS**
Subpoena power, 18-2-424, 39-1-103, 39-3-210
Supervision, Const., VI, 8
Travel expenses, 39-71-201
Unemployment insurance, authority, See **UNEMPLOYMENT INSURANCE**
Wages, authority, See **WAGES AND SALARIES**
Welfare recipients, See **PUBLIC ASSISTANCE**
Winter work program, municipal — cooperation, 7-16-4308
Women, affirmative action, 39-7-101, 39-7-103
  human rights, commission for — cooperation with, 39-7-104
  rulemaking authority, 39-7-102
Workers' compensation
  duties, Title 39, chapter 71, See **WORKERS' COMPENSATION**
  judge, See **WORKERS' COMPENSATION, Judge**

LABOR APPEALS, BOARD OF
Allocation, appointments to, composition, and designation as quasi-judicial, 2-15-1704
Unemployment insurance, authority, See **UNEMPLOYMENT INSURANCE**

LABORATORIES
Abortion, participation, See **ABORTION**
Agricultural chemical ground water protection
  "no observable effect level" defined, 80-15-102
  "oncogenic potential" defined, 80-15-102
  quality assurance, quality control, and confirmatory procedures, 80-15-105
Agricultural technology transfer and assistance projects, 90-9-103, 90-9-314
AIDS testing and counseling, 50-16-1003, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Air quality, for, 75-2-112
Alfalfa leaf-cutting bee, 80-6-1106
Animal and research facilities protection, Title 81, chapter 30, part 1
Animals, animal semen, or animal biologics — quarantined, testing expenses, 81-2-704
Bee, 80-6-311, 80-6-1106
Blood, breath, or urine tests, 39-2-304, 61-8-404
Clinical laboratory science practitioners, Title 37, chapter 34, part 3, See **CLINICAL LABORATORY SCIENCE PRACTITIONERS**
Commerce, Department of, 30-12-103
Comprehensive health association plans, payment of charges, 33-22-1521
Crime laboratory reports, hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
Criminal investigation, See **FORENSIC SCIENCE**
Criminal investigation agents, facilities for, 44-2-116
Criminalistics, See **FORENSIC SCIENCE**
Dairy products, analysis, 81-22-101, 81-22-301
Dental, Title 37, chapter 4
Denturists, 37-29-303, 37-29-305, 37-29-401
Developmentally disabled persons in residential facilities, medications — test modifications, 53-20-145
Employees, malpractice, See **MALPRACTICE, MEDICAL**
Factory-built buildings, testing laboratories, 50-60-403
Fees, rulemaking authority, 50-1-202
Fire protection and safety regulations, 50-61-103, See **FIRES AND FIRE PROTECTION**, generally
Fish or eggs, infected — confirmation, 87-3-225
Forensic, See **FORENSIC SCIENCE, Laboratory of criminalistics**
Grain, testing
  grade or dockage, 80-4-727
  protein, 80-4-709
Hazardous chemical information, 50-78-103, 50-78-301
Health and Environmental Sciences, Department of
  approval, 40-1-206, 40-1-209
  authority generally, 50-1-202
Health care information, See **HEALTH CARE INFORMATION**
Health Facility Authority, financing, 90-7-104, See **HEALTH FACILITY AUTHORITY**
HIV-related testing and counseling, 50-16-1003, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Hospital laboratories, See **HEALTH CARE FACILITIES**
Infectious waste management, Title 75, chapter 10, part 10, See **HAZARDOUS WASTES**
Institutional residents, ancillary charges — payment, 53-1-401, 53-1-501, 53-1-502
Justice, Department of — operation, 61-8-404
Liquor, analysis, 16-1-304
Livestock disease control, 81-2-102, 81-2-704
Meat establishments
  pathogenic examination of animals, for, 81-9-230

LABORATORIES (Continued)
Meat establishments (Continued)

  sanitary conditions, consultations, 81-9-233
Medicaid, payments for services, See **PUBLIC ASSISTANCE, Medicaid**, generally
Metabolic tests for newborns, for, 50-19-203
Milk or cream, analysis, 81-22-101, 81-22-301
Mining, test borings or core samples — determination of hydrologic consequences, 82-4-222
Mobile homes, testing laboratories, 50-60-403
Nuclear facility safety systems, testing requirements, 75-20-1203
Naturopathic physicians, diagnostic procedures ordered by, 37-26-301
Occupational disease services, for, 50-70-105
Optical, 37-10-301
Paint, analysis, 30-12-1001, 30-12-1003, 30-12-1004
Paternity blood tests, accreditation of laboratory, 40-5-234
Petroleum products, testing, 82-15-104
Premarital examinations
  confidentiality, 40-1-208
  penalty for violations, 40-1-208
  reports, 40-1-206
  serological tests, 40-1-203, 40-1-204, 40-1-206
Prenatal serological tests, for, 50-19-102, 50-19-104
Protein testing, 80-4-709
Public health centers, 50-5-101
Public water supply, for analysis of water, 75-6-103, 75-6-106, See also **WATER SUPPLY, PUBLIC**
Recreational vehicles, testing laboratories, 50-60-403
Research and farm animal facilities protection, Title 81, chapter 30, part 1
Seed, See **MONTANA STATE UNIVERSITY**
Serological test requirements
  confidentiality, 50-19-108
  employment, 39-2-304
  premarital, 40-1-203, 40-1-204, See also **Premarital examinations**
  prenatal, 50-19-102 — 50-19-104
  results, exhibit, 50-19-107
  sexually transmitted disease, 50-18-104, 50-19-105
Services, organization, 50-1-202
Sexually transmitted disease, for testing, 50-18-104, 50-19-105
Smoking in, prohibited when, 50-40-106
Sterilization, participation, See **STERILIZATION**, generally
Television districts, personnel, 7-13-2510
Transportation, Department of, 17-5-501, 17-5-502
Tumors, reports concerning, 50-15-703
University system
  assistantships, 20-25-703
  facilities, 20-25-302
Urine test requirements, 39-2-304
Veterinarians
  exemptions from licensing provisions, 37-18-104
  procedures performed by, 37-18-102
Weather modification research, 85-3-202
Well-child care, insurance coverage for tests, 33-22-303, 33-22-512, 33-30-1014
Wine, analysis, 16-1-304
Wool, See **MONTANA STATE UNIVERSITY**

LACHES, 1-3-218, 15-17-326, 31-2-342, 37-43-307, 40-2-610; Title 25, chapter 20, M.R.Civ.P., Rule 8(c)

LAKES
Applicability of laws, 85-1-103
Artificial, licensing provisions, 49-3-204, 87-4-603, 87-4-606, 87-4-607
Boundaries, as, 70-16-201, 70-20-201
Breakwater construction, See **Shore protection**
Camping, See **CAMPING AND CAMPGROUNDS**
Change of name, See **WATER, Names of watercourses, change**
Cities and towns, regulation of ponds, 7-13-4401
Conservancy districts, 85-9-102, See **WATER CONSERVANCY DISTRICTS**
Conservation, See **Shore protection**
Conservation easements, effect, 77-2-319
Construction of laws, 85-1-103
Construction projects on, See **Shore protection**
Dams, See **DAMS AND RESERVOIRS**
Dead animals in, unlawful, 75-10-213
Defined, 23-2-301, 75-7-202
  change in definition, when, 75-7-203
Detergent phosphorus compounds, model rule on sale and distribution, Title 75, chapter 7, part 4
Docks and wharves, Title 7, chapter 14, part 28, See **Shore protection**; **FERRIES AND WHARVES**
Drainage from, Title 75, chapter 5, See **WATER QUALITY**
Dredging, See **Shore protection**
Echo Lake, boats — sound levels limited, 23-2-523
Fines for violations, 75-7-216
Fish and fishing
  areas or districts closed to, when, 87-1-304, 87-1-305
  interstate privileges, 87-2-1001 — 87-2-1004
  ponds, licensing provisions, 49-3-204, 87-4-603, 87-4-606, 87-4-607
  propagation, waters controlled for, 87-1-223
  stocking lakes from hatchery output, 87-3-202
Flathead Basin Commission
  account, 75-7-306
  appointments to, 2-15-213, 2-15-214
  authority, 75-7-305
  citation of flathead basin commission act of 1983, 75-7-301
  compensation of members, 2-15-213, 2-15-215
  cooperative programs, 75-7-304, 75-7-308
  county government authority, 75-7-307
  definitions, 75-7-303
  donations, gifts, and grants, 75-7-305
  duties, 75-7-304
  funds, 2-15-215, 75-7-304 — 75-7-308
  hearings, 75-7-304
  international cooperation, 75-7-304, 75-7-308
  office and staff, 2-15-215
  purpose, 75-7-302
  report, biennial, 5-11-210, 75-7-304
  term of members, 2-15-214
Flathead Basin Commission Act of 1983, Title 75, chapter 7, part 3
Flathead Lake, 23-2-523, 75-7-302, 75-7-303, 87-3-204, 87-5-404, 90-1-104
Forest practices in streamside management zones, 77-5-301 — 77-5-307
Frontages, funds for recreational uses, 87-1-605

LAKES (Continued)

Game refuges, establishment, Title 87, chapter 5, part 4, See **FISH AND WILDLIFE, Preserves and refuges**
Highways near, use of mineral slag for sanding or snow removal prohibited when, 60-2-241
Hunting — areas or districts closed to, when, 87-1-304, 87-1-305
Interpretation of laws, 85-1-103
Interstate fishing privileges, 87-2-1001 — 87-2-1004
Islands in, ownership, See **PROPERTY, REAL, Islands; STATE LANDS, Islands and abandoned riverbeds**
Lagoon construction, See **Shore protection**
Level regulation, 85-9-102, See **WATER CONSERVANCY DISTRICTS**, generally
Littering, Title 75, chapter 10, See **LITTERING AND LITTER CONTROL**
Megalandfill siting application, evaluation — considerations, 75-10-920
Migratory birds — resting, feeding, and breeding grounds for, Title 87, chapter 5, part 4, See **FISH AND WILDLIFE, Preserves and refuges**
Mining operations which jeopardize, 82-4-227
Name, change, See **WATER, Names of watercourses, change**
Obstruction of waters as nuisance, 27-30-101
Off-highway vehicles, operation on, 23-2-801, 23-2-811, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Phosphorus compounds, model rule on sale and distribution, Title 75, chapter 7, part 4
Policy of state, 85-1-103
Pollution, Title 75, chapter 5, See **WATER QUALITY**
Property rights, See **PROPERTY, REAL, Watercourses**
Protection of shores, See **Shore protection**
Recreational use
  rules for, 87-1-303
  stream access law, nonapplicability, 23-2-301, 23-2-310
Reservoirs, See **DAMS AND RESERVOIRS**
Restoration required when, 75-7-205
Shore protection, 75-7-202
  conservation easements, effect, 77-2-319
  environmental impact statements, 75-7-213
  fines, 75-7-216
  funding, 75-7-217
  governing bodies
    consultations, 75-7-211
    cooperation between, 75-7-214
    definition of lake changed when, 75-7-203
    natural resources and conservation, department of — powers as, when, 75-7-209
    permits
      applications and fee, 75-7-210
      issuance, 75-7-212
        regulations for, 75-7-207, 75-7-208
      requirements, 75-7-204
    restoration of lake required by, when, 75-7-205
    variance procedures, 75-7-210, 75-7-213
  hearings, 75-7-206
  judicial enforcement and review, 75-7-215
  penalties for violations, 75-7-216
  permits for work
    application and fee, 75-7-210
    issuance, 75-7-212
      regulations for, 75-7-207 — 75-7-209
    required when, 75-7-204
  policy of state, 75-7-201

LAKES (Continued)
Shore protection (Continued)

- property rights, nature, 75-7-206
- unauthorized work, 75-7-205
- variance procedures, 75-7-210, 75-7-213

Snowmobiles, operation on, 23-2-611, See **SNOWMOBILES**
State ownership, 70-1-202, See also **STATE LANDS, Islands and abandoned riverbeds**
Stocking with fish, 87-3-202
Stream access law, nonapplicability, 23-2-301, 23-2-310
Streamside management zones, forest practices in, 77-5-301 — 77-5-307
Subdivision prohibited when, 77-2-319
Swan Lake, boats — sound levels limited, 23-2-523
Timber sale estimates and appraisals, requirements, 77-5-204
Trapping, areas or districts closed to — when, 87-1-304, 87-1-305
Venue for actions arising upon, 25-2-124
Water conservancy districts, 85-9-102, See **WATER CONSERVANCY DISTRICTS**, generally
Wharves, Title 7, chapter 14, part 28, See **Shore protection; FERRIES AND WHARVES**

LAND COMMISSIONERS, BOARD OF
See also **FORESTS AND FORESTRY; STATE LANDS**
Actions, 77-1-111

- defense by, 77-1-116, 77-1-207
- prosecutions, 77-1-114

Administration of lands, 77-1-103
Agricultural leases, Title 77, chapter 6
Department head, 2-15-3201, See **STATE LANDS, DEPARTMENT OF**
Escheated estates, deed and sale of property, 72-14-206
Establishment, Const. X, 4
Expenditures authorized, 77-1-215
Federal land grants, acceptance, 77-1-211
Fees, setting — approval, 77-1-302
Forests and forestry

- brush disposal requirements and fees, 77-5-204
- disease and insect pest control, zone of infestation — approval for creation, 76-13-303
- fire hazard reduction or management
- contractors, audits, 76-13-414
- rules, 76-13-403, 76-13-408
- forest fire protection
  - agency, recognized — to provide, 76-13-102
  - districts
    - boundaries, determination, 76-13-102, 76-13-205
    - creation, 76-13-204
  - rules, 76-11-101, 76-13-102, 76-13-109, 76-13-201
- land donations for forestry purposes, 77-1-214
- permits for removal of timber, 77-5-211 — 77-5-213
- protection
  - payments under protest, actions to recover, 76-13-210
  - rules for, 76-13-109
- sale of timber
  - agreements, approval, 77-5-202
  - bids, approval, 77-5-201
  - estimates and appraisals, approval, 77-5-204
  - rules, 77-5-201, 77-5-202, 77-5-204
- state lands, on, 77-5-204, 77-5-205
- state forests, development and management, 77-1-204, 77-1-214
- suspension of operations, 76-13-110

LAND COMMISSIONERS, BOARD OF (Continued)

Gifts, donations, or grants — acceptance, 77-1-213
Governor's mansion, management, 77-1-221, 77-1-222
Grazing leases, general authority, 77-6-102, 77-6-403
Islands and abandoned riverbeds, ownership, 77-1-102
Investment authority, Title 17, chapter 6, part 2
Meetings and officers, 77-1-201
Membership, 2-15-201, 2-15-401, 2-15-501
Mines and mining
  location of mine site, 82-4-102, 82-4-111
    bond, amount and requirements determined by, 82-4-123, 82-4-129
    permits, revocation by, 82-4-102, 82-4-111, 82-4-129
  metal mines
    administrative authority, 82-4-321
    annual report, form prescribed by, 82-4-331
    bond, 82-4-337, 82-4-338
    confidentiality requirements, 82-4-306, 82-4-308
    cooperation with other agencies, 82-4-323
    evidence, 82-4-306
    federal land exemptions, designation, 82-4-309
    impact plan, notice of noncompliance, 90-6-307
    inspections, 82-4-341
    investigations, 82-4-322
    permits
      issuance, 82-4-331, 82-4-335, 82-4-337
      reinstatement or renewal, 82-4-331, 82-4-362
      revocation, 82-4-337, 82-4-362
      transfer, 82-4-340
    reclamation
      excuse of obligation, 82-4-334
      modification of plan, 82-4-337
      performance by board, 82-4-341, 82-4-360
      plan, required and approved by, 82-4-303, 82-4-336, 82-4-352
    research, 82-4-322
    rulemaking authority, 82-4-321, 82-4-336, 82-4-338, 82-4-339, 82-4-361
    successor operators, release of original operator, 82-4-340
    supervisors, 82-4-321
  opencut mining
    administrative authority, 82-4-421
    bond, duties, 82-4-433, 82-4-434
    enforcement power, 82-4-423, 82-4-425
    federal land exemptions, designation, 82-4-406
    funding, 82-4-424
    hearings by, 82-4-422, 82-4-427
    investigations by, 82-4-422
    noncompliance, 82-4-434
    penalties, waiver, 82-4-441
    reclamation
      bond, duties, 82-4-433, 82-4-434
      contracts, 82-4-422, 82-4-432, 82-4-434
      performance by board, 82-4-424, 82-4-426, 82-4-433
      recommendations respecting, 82-4-432
    rulemaking authority, 82-4-422, 82-4-441
  strip and underground mining
    administrative authority, 82-4-204
    bond, amount and requirements determined by, 82-4-223, 82-4-251

LAND COMMISSIONERS, BOARD OF (Continued)
Mines and mining (Continued)
  strip and underground mining (Continued)
    funds, receipt by, 82-4-242
    hearings by, 82-4-204, 82-4-231
    noncompliance, duties, 82-4-231
    reclamation
      alternate plan, approval, 82-4-232
      performance by board, 82-4-239, 82-4-240
      plan, action on, 82-4-231
      vegetation requirements set by, 82-4-233
    rulemaking authority, 82-4-204, 82-4-231 — 82-4-234
    violations, rulings and rulemaking authority, 82-4-254
Multiple-use management, 77-1-203
Natural areas, management, Title 76, chapter 12, part 1
Obligations, payment, 77-1-217
Powers and duties, 2-15-3202, 77-1-202
Property, management generally
  appraisal, rules prescribed by, 77-1-206
  cabin site licenses and leases, 77-1-208
  deeds and conveyances, correction of errors, 77-1-205
  easements, Title 77, chapter 2, part 1
  executive mansion, sale, 77-1-222
  federal facilities and installations, acceptance, 77-1-212
  leasing of land, rules and restrictions prescribed by, 77-1-113, 77-1-209
  power-tobin mansion, acceptance, 77-1-221
  sale, lease, or exchange of land, 77-1-204, 77-2-301
  surveys, 77-1-104
  title, determination, 77-1-105
Recreational use, control, Title 77, chapter 1, part 8
Revenues and profits, disposition, 77-1-117, 77-1-216
Surface leases
  general board authority, 77-6-102
  transfers, 77-6-403
Violations and penalties, 77-1-112, 77-1-115, 77-1-116, 77-1-207

LANDFILLS, Title 75, chapter 10
  See **MEGALANDFILL SITING; SOLID WASTE MANAGEMENT**

LANDLORD AND TENANT
  See also **PROPERTY, REAL, Rents and profits**
Abandonment by tenant
  access to premises by landlord, 70-24-312
  personal property, disposition, 70-24-430
  recovery of possession, 70-24-428
  rental upon, 70-24-426
Absence of tenant, notice to landlord, 70-24-322, 70-24-426
Access to premises by landlord, 70-24-312, 70-24-425
  absence of tenant, 70-24-426
  abuse of right, 70-24-312, 70-24-410
  refusal by tenant, 70-24-424
Actions, 70-24-103, See also **Damages; Remedies; PROPERTY, REAL, Actions**
  assignees as parties, 70-26-105, 70-26-106
  attorney's fees, 70-24-202, 70-24-442
  costs, 70-24-202, 70-24-442
  enforcement by, 70-24-401
  notice, 70-24-108, 70-24-301, 70-26-104
  recovery of possession, See **Recovery of possession**
  service of process, 70-24-301

LANDLORD AND TENANT (Continued)
Actions (Continued)

  statute of limitation, 70-19-413
Adverse possession, effect, 70-19-412
Agreement
  rental, See **Rental agreement**
  settlement of dispute by, 70-24-402, 70-24-404
Alcoholic beverage license transferred when, 16-4-204, 16-4-404
Alterations and remodeling
  access to premises by landlord for, 70-24-312
  disabled persons, for, 49-2-305
  tenant, agreement for performance by, 70-24-303
Applicability of laws, 70-24-105, 70-24-107
  exclusions, 70-24-104
  security deposits, 70-25-102
Assignees, remedies against, 70-26-105, 70-26-106
Attornment to stranger void, 70-26-103
Bailment of abandoned personal property, 70-24-430
Blind persons, rights concerning, See **BLIND OR VISUALLY DISABLED PERSONS**
Building and housing codes, compliance
  applicability of laws, 70-24-105
  energy efficiency measures not to burden, 50-60-801
  landlord, responsibility, 70-24-303, 70-24-406, 70-24-425, 70-24-431
  tenant, responsibility, 70-24-321, 70-24-422, 70-24-425, 70-24-431
Building code orders to correct, noncompliance, 50-60-110
Business or cottage industry on premises, operation by tenant, 70-24-321
Citation of Montana Residential Landlord and Tenant Act of 1977, 70-24-101
City lot, duration of lease, 70-26-110
Cleanliness of premises
  landlord, responsibility, 70-24-303, 70-24-406
  tenant, responsibility, 70-24-321, 70-24-425
Commercial property, special provisions
  agricultural land, See **AGRICULTURE, Land**
  applicability of laws, 70-24-104
  duration and term of lease, 70-26-201
  possession, effect when continued, 70-26-204
  rent
    cost of doing business, as, 30-14-202
    payable when, 70-26-202, 70-26-203
  rental agreement, renewal, 70-26-204, 70-26-205
  repairs, failure of lessor, 70-26-203
  termination of lease, notice, 70-26-205
Construction of laws, 70-24-102
  implicit repeal, against, 70-24-106
Conveyance of property
  applicability of laws, 70-24-104
  effect, 70-24-304, 70-26-102
  notice to tenant, 70-20-314, 70-24-304
  redemption period, purchaser's entitlement to rent, 25-13-822
  remedies against assignees, 70-26-102
  security deposit, 70-24-304
Damages, See also **Remedies**
  absence of tenant, failure to give notice, 70-24-426
  action, failure to give notice, 70-26-104
  early termination, not allowed, 70-24-422
  entry
    refusal by tenant, 70-24-424

LANDLORD AND TENANT (Continued)
Damages (Continued)
  entry (Continued)
    unreasonable, 70-24-410
  essential services, interruption, 70-24-408, 70-24-411
  harassment of tenant, 70-24-410
  holdover, 27-1-318, 70-24-429
  maintenance of premises
    landlord's failure, 70-24-406, 70-24-407
    tenant's failure, 70-24-422
  personal property of tenant, loss, 70-24-430
  possession, landlord's
    failure to deliver, 70-24-405
    removal of tenant, unlawful, 70-24-411
  possession, tenant's failure to quit, 27-1-318, 70-24-429
  remedy by, 70-24-401
  rental agreement
    landlord's noncompliance, 70-24-407
    prohibited provisions, purposeful use, 70-24-403
    tenant's noncompliance, 70-24-422, 70-24-427
  security deposit, wrongful withholding, 70-25-204
  smoke detector failure, nonliability of landlord, 70-24-303
Damage to property, 70-25-101
  burden of proof, 70-25-204
  casualty, by, 70-24-409
  fee or charge for, 70-25-101, See **Security deposit**
  fire, by, 70-24-409
  list, 70-25-202, 70-25-203, 70-25-206
  personal property of tenant, 70-24-430
  prohibited, by tenant, 70-24-321
  repairs, See **Maintenance**
  security deposit, deductions for, 70-25-201, See **Security deposit**
  termination of tenancy, 70-24-422
Deaf persons, rights concerning, See **DEAF PERSONS**, generally
Definitions, 70-24-103, 70-24-303, 70-24-431, 70-24-442, 70-25-101
Disabled persons, modifications for, 49-2-305
Discriminatory practices, See **DISCRIMINATION, Housing accommodations**
Disputes, settlement by agreement, 70-24-402, 70-24-404, See also **Remedies**
Double letting of rooms prohibited, 70-26-101
Dwelling unit, 70-24-103, 70-24-322
Emergency access to premises by landlord, 70-24-312, 70-24-425
Emergency housing, rentals as, 10-3-103, 10-3-313
Emergency situations beyond tenant's control, 70-24-103, 70-24-406
Eminent domain, displacement by, 70-31-102
Enforcement, See also **Remedies**
  action, by, 70-24-401
  good faith, obligation of, 70-24-109
  rental agreement, prohibited or unconscionable provisions unenforceable, 70-24-403, 70-24-404
  rules of landlord, 70-24-311
Entry by landlord, See **Access to premises by landlord**
Essential services, See also **Maintenance**
  disabled persons, for, 49-2-305
  interruption, 70-24-103, 70-24-408, 70-24-411, 70-24-428, 70-24-431
  landlord's responsibility, 70-24-303
  remedies, 70-24-408, 70-24-411
  retaliation by interruption, 70-24-431
  tenant's responsibility, 70-24-321

LANDLORD AND TENANT (Continued)

Estates at will, See **PROPERTY, REAL, Estates at will**
Estates for years, See **PROPERTY, REAL, Years, estates for**
Eviction
  fire prevention violations, 50-61-116, 50-61-118
  prostitution, attempted abatement by required, 45-5-602
  recovery of possession, See **Recovery of possession**
  reentry as contempt, 3-1-504
  unlawful, remedy, 70-24-411
Exclusions from provisions, 70-24-104
Execution, sale of tenant's personal property, 70-24-430
Fires
  damage to premises by, tenant's rights, 70-24-409
  hazards, service on tenant of order to repair hazardous condition or demolish structure, 50-62-103
  prevention and safety regulations, 50-61-103
    applicability of laws, 70-24-105
    correction or compliance by tenant, 50-61-116
    noncompliance, occupancy enjoined, 50-61-118
Forcible entry and detainer, Title 70, chapter 27
Fraternal benefit society residences, applicability of laws, 70-24-104
Good faith, 70-24-103
  alterations, agreement for tenant's performance, 70-24-303
  disputed claim or right, settlement, 70-24-402
  maintenance, agreement for tenant's performance, 70-24-303
  obligation of, 70-24-109
  possession
    failure to deliver, 70-24-405
    recovery of, holdover, 70-24-429
  transfer of premises or termination of management, notice to tenant, 70-24-304
Harassment of tenant
  entry by landlord as, 70-24-312, 70-24-410
  injunction, 70-24-410
Hazardous or deleterious substance, remedial action upon release, Title 75, chapter 10, part 7
Injunctions
  entry by landlord, 70-24-410, 70-24-424
  fire prevention violations, when, 50-61-118
  harassment of tenant, 70-24-410
  rental agreement
    landlord's noncompliance, 70-24-406
    tenant's noncompliance, 70-24-422
Inspection of premises, 70-24-312, 70-25-201, 70-25-202, 70-25-206
Interpretation of provisions, 70-24-102, 70-24-106
Jurisdiction of courts, 3-6-103, 3-10-302, 70-24-103
Jurors, landlord-tenant relationship grounds for challenge, 46-16-115
Lease, See **Rental agreement**; **LEASES**; **PROPERTY, REAL, Rents and profits**
Liability, See also **Enforcement**; **Remedies**
  conveyance of premises, effect, 70-24-304
  exculpation or indemnification prohibited, 70-24-202
  smoke detector failure, damages caused by, 70-24-303
Lien for rental money owed, 71-3-1401 — 71-3-1403
Maintenance, 70-24-303
  access to premises by landlord, 70-24-312, 70-24-425
  charges for, 70-25-201
  emergency, 70-24-312, 70-24-406, 70-24-425

LANDLORD AND TENANT (Continued)
Maintenance (Continued)

- energy efficiency measures not to burden, 50-60-801
- landlord
  - failure by, 70-24-406, 70-24-407, 70-24-431, 70-26-203
  - responsibility, 70-24-203, 70-24-303
  - retaliation upon complaint, 70-24-431
- personal representative's authority, 72-3-613
- smoke detectors, 70-24-303
- tenant
  - agreement, by, 70-24-303
  - emergency situations, 70-24-406
  - failure by, 70-24-422, 70-24-425
  - responsibility, 70-24-321

Manager
- disclosure to tenant, 70-24-301
- exoneration upon conveyance, 70-24-304

Mint and mint oil production, 80-11-402
Mobile home parks, 70-24-103
- park rules, 70-24-311, 70-24-313
- rental agreements, 70-24-103, 70-24-436
- road maintenance, 70-24-315
- tenant associations, 70-24-314, 70-24-431

Mobile homes on rental lots, sale or rental, 70-24-305
Mortgages, occupants' status, See **MORTGAGES, Possession of property**
Notice, 70-24-108
- absence of tenant, 70-24-322, 70-24-426
- agent to receive, 70-24-301
- cleaning charges, deduction from security deposit, 70-25-201, 70-25-202
- conveyance of property, notice to tenant, 70-24-304
- damage to property
  - list to tenant, 70-24-202
  - termination of tenancy, 70-24-422
- entry by landlord, 70-24-312
- essential services, notice by tenant of interruption, 70-24-408
- lease terms
  - change, 70-26-109
  - termination, 70-26-205
- maintenance required
  - notice by landlord, 70-24-422, 70-24-425
  - notice by tenant, 70-24-406, 70-26-203
- manager, 70-24-301
- owner, 70-24-301
- personal property, abandonment, 70-24-430
- rental agreement, termination, 70-24-405, 70-24-406, 70-24-409, 70-24-422, 70-24-436, 70-24-441, 70-26-205
- rent, notice not required, 70-24-201
- rules of landlord, 70-24-311
- third parties, action by, 70-26-104

Owner, 70-24-103
- disclosure to tenant, 70-24-301

Partial letting of rooms prohibited, 70-26-101
Personal property of tenant, abandonment, 70-24-430
Personal representative's authority, 72-3-613
Possession
- acceptance by tenant, effect, 70-24-204
- double letting of rooms, possession to whom, 70-26-101

LANDLORD AND TENANT (Continued)
Possession (Continued)
- eviction, See **Eviction**
- landlord to deliver when, 70-24-302, 70-24-405
- recovery, See **Recovery of possession**
- renewal of lease by, 70-26-204
- tenant's action for, 70-24-405

Prostitution, promotion unlawful, 45-5-602
Purpose of provisions, 70-24-102
Quiet enjoyment, tenant's right, 27-1-316, 70-24-321
Recovery of possession, See also **Eviction**; **Termination of tenancy and rental agreement**
- alterations, for, 70-24-431
- assignees as parties, 70-26-105, 70-26-106
- cause of action, 70-24-302, 70-24-427, 70-24-429
- damages for wrongful occupation, 27-1-318
- demolition of property for, 70-24-431
- essential services, interruption — action by tenant, 70-24-411, 70-24-428
- holdover, 70-24-429
- limitation, 70-24-428, 70-24-431
- maintenance, when tenant's failure, 70-24-431
- rent, for nonpayment, 70-24-421, 70-24-431
- retaliatory action prohibited, 70-24-431
- tenant, action by, 70-24-405, 70-24-411
- termination of tenancy, right after, 70-24-427 — 70-24-429
- third person, notice of action by, 70-26-104

Remedies, See also **FORCIBLE ENTRY AND DETAINER AND UNLAWFUL DETAINER**
- absence of or abandonment by tenant, 70-24-426
- agreement as, 70-24-402, 70-24-404
- applicability of laws, 70-24-105
- assignees as parties, 70-26-105, 70-26-106
- casualty, damage to premises by, 70-24-409
- conveyance of property, effect, 70-26-102
- damages, 27-1-318, 70-24-401, See **Damages**
- entry of landlord
  - refusal by tenant, 70-24-424
  - unlawful or unreasonable, 70-24-410
- essential services, interruption, 70-24-408, 70-24-411
- eviction, 70-24-411
- fire, damage to premises by, 70-24-409
- good faith, obligation in enforcement, 70-24-109
- holdover, 70-24-429, See also **Recovery of possession**
- maintenance, failure of
  - landlord, 70-24-406, 70-24-407, 70-24-431, 70-26-203
  - tenant, 70-24-422, 70-24-425
- possession
  - action for, See **Recovery of possession**
  - exclusion, unlawful, 70-24-411
  - failure to delivery, tenant's remedy, 70-24-405
- rent
  - acceptance, effect, 70-24-423
  - nonpayment, 70-24-421
- rental agreement
  - noncompliance, 70-24-406, 70-24-407, 70-24-422, 70-24-427
  - prohibited provisions, 70-24-403
  - unconscionable provisions, 70-24-404
- retaliation by landlord, 70-24-431

LANDLORD AND TENANT (Continued)
Remedies (Continued)

- security deposit, wrongful withholding, 70-25-204, 70-25-205
- settlement, 70-24-402, 70-24-404
- waiver prohibited, 70-24-202, 70-25-103

Remodeling and alteration
- access to premises by landlord for, 70-24-312
- tenant, agreement for performance by, 70-24-303

Removal from premises, termination of tenancy, 70-24-422
Rent, 70-24-103, See also **PROPERTY, Income of property**
- acceptance without reservation, effect, 70-24-204, 70-24-302, 70-24-423
- apportionment, 70-24-201, 70-24-441
- claim for, 70-24-427, 70-24-429
- conveyance of property, effect, 70-24-304
- cost of doing business, as, 30-14-202
- delinquent, payment from sale of tenant's personal property, 70-24-430
- easement for taking, 70-17-102
- essential services, effect of interruption, 70-24-408, 70-24-411
- eviction, effect, 70-24-411
- fair value, 70-24-201
- fire escapes, erection costs — reimbursement, 50-61-116
- fire or casualty, effect of damage to premises by, 70-24-409
- holdover, claim for, 70-24-429
- life, recovery when dependent upon
  - manner, 70-26-107
  - time, 70-26-108
- list of charges to tenant, 70-25-202
- nonpayment, 70-24-421, 70-24-422, 70-24-431, 70-24-436
- payment, 70-24-201, 70-26-202
  - presumption, 26-1-602
- possession of premises, effect of failure to deliver, 70-24-405
- redemption period, during — accounting, 25-13-822
- repairs, payment for, 70-24-406, 70-24-425, 70-26-203
- retaliation by increase, 70-24-431
- rooms, effect of double letting on other tenants, 70-26-101
- statute of limitation for actions founded on, 70-19-413
- termination of agreement, claim for, 70-24-427, 70-24-429, 70-24-441, 70-25-202
- when payable, 70-24-201, 70-26-202
- where payable, 70-24-201

Rental agreement, 70-24-103
- abandonment, effect, 70-24-426
- assignees, remedies against, 70-26-105, 70-26-106
- casualty, effect, 70-24-409
- change of terms, 70-26-109
- confession of judgment prohibited, 70-24-202
- contract law, applicability, 70-24-105
- delivery, 70-24-204
- disabled persons, 49-2-305
- duration, 70-24-201, 70-24-204
- essential services, termination for interruption, 70-24-411
- exculpatory provisions prohibited, 70-24-202
- fire, effect, 70-24-409
- harassment, termination for, 70-24-410
- holdover with consent, 70-24-429, 70-26-109, 70-26-204
- indemnification for liability prohibited, 70-24-202
- locks removed, replaced, or added by tenant — failure to provide key, 70-24-424

LANDLORD AND TENANT (Continued)
Rental agreement (Continued)

- maintenance
    - failure, termination by, 70-24-406
    - tenant, agreement for performance, 70-24-303
    - waiver of obligation prohibited, 70-24-203
- mobile home dwelling units, 70-24-103, 70-24-436
- noncompliance, damages, 70-24-406, 70-24-407, 70-24-422, 70-24-428, 70-26-105, 70-26-106
- permissible provisions, 70-24-201
- possession, termination by failure to give, 70-24-405
- prohibited provisions, 70-24-202, 70-24-203, 70-25-103
    - unconscionability, 70-24-404
    - unenforceability, 70-24-403, 70-25-103
- renewal, 70-26-204
- rent, effect of acceptance, 70-24-204, 70-24-423
- rules of landlord, notice at time of entering, 70-24-311
- security deposit to be returned on termination, 70-24-406, 70-24-409, 70-25-202, See **Security deposit**
- signing, 70-24-204
- smoke detectors, verification of good working order, 70-24-303
- specific performance, 70-24-405
- termination, 70-24-405, 70-24-406, 70-24-422, 70-24-424, 70-24-436, 70-24-441, 70-26-205, See **Termination of tenancy and rental agreement**
- unconscionability, 70-24-404
- waiver of rights and remedies prohibited, 70-24-202, 70-24-203, 70-25-103
- writing, 70-19-412, 70-24-103, 70-24-204
    - breach of agreement, notice, 70-24-406, 70-24-422
    - change of terms, 70-26-109
    - termination of agreement, notice, 70-24-405, 70-24-406, 70-24-409, 70-24-422

Repairs, See **Maintenance**
Retaliation by landlord, 70-24-431
Rooms and roomers, 70-24-103, 70-26-101
Rules by landlord, authorization, 70-24-311
Rural rental agreements, applicability of laws, 70-24-104
Safety codes, See **Building and housing codes**
Sale of property, See **Conveyance of property**
Sale of tenant's personal property, 70-24-430
Secured transactions

- rents or lease excluded as, 30-9-104
- sale of tenant's personal property, applicability of laws, 70-24-430

Security deposit, 70-25-101

- acceptance, effect, 70-24-302
- applicability of laws, 70-25-102
- cleaning expenses, 70-25-101, 70-25-201 — 70-25-204, 70-25-206
- contrary provisions invalid, 70-25-103
- conveyance of property, effect, 70-24-304
- deductions authorized, 70-25-201
- essential services, return on interruption when, 70-24-411
- eviction, return when, 70-24-411
- fire or casualty, recovery when, 70-24-409
- list of charges to tenant, 70-25-202, 70-25-203
- maintenance of premises
    - deductions for, 70-25-201
    - return of deposit on failure of landlord, 70-24-406
- new address, failure to provide, 70-25-205
- possession, landlord's failure to deliver — return of deposit, 70-24-405

LANDLORD AND TENANT (Continued)
Security deposit (Continued)

refund, 70-25-202, 70-25-203
statement of condition, 70-25-206
waivers of provisions invalid, 70-24-103
wrongful withholding, 70-25-204
Service of process, 70-24-301
Short title, 70-24-101
Smoke detectors, installation, 70-24-303
Storage of tenant's personal property, 70-24-430
Subletting by tenant, 70-24-305, 70-26-103
Substitute housing when, 70-24-408
Surrender of premises, See **Termination of tenancy and rental agreement**
Taxation, eligibility for residential property tax relief, 15-30-177
Temporary housing for emergency victims, 10-3-103, 10-3-313
Tenants at will, 70-24-201, 70-24-429, 70-26-109, 70-26-206, 70-27-104
Tenants' unions, 70-24-431
Termination of tenancy and rental agreement
  abandonment by tenant, 70-24-426
  access to premises by landlord, 70-24-312, 70-24-424
    unreasonable, cause for termination, 70-24-410
  casualty, 70-24-409
  damage, cleaning charges, and rent due — list to tenant, 70-25-202
  damage to property, grounds, 70-24-422
  early termination, damages not allowed, 70-24-422
  entry by landlord, 70-24-312, 70-24-410
  fire, 70-24-409
  holdover, 70-24-429
  inspection of premises, 70-25-201, 70-25-202
  maintenance, failure of
    landlord, 70-24-406
    tenant, 70-24-422, 70-24-423
  mobile home parks, 70-24-436
  new address to landlord, 70-25-205
  notice, 70-24-422, 70-24-441, 70-26-205
  personal property of tenant, disposition after, 70-24-430
  possession
    landlord's failure to deliver, 70-24-405
    recovery, See **Recovery of possession**
  rental agreement, breach, 70-24-406, 70-24-422, 70-24-423
  security deposit, refund, See **Security deposit**
Territorial extent of provisions, 70-24-107
Title of landlord presumed, 26-1-601
Transfer of premises by tenant, 70-24-305
Transfer of property, See **Conveyance of property**
Trust indenture foreclosure, occupants as tenants at will, 71-1-319
Unclaimed personal property of tenant, 70-24-430
Unlawful detainer, 70-27-101
Utility payments, unpaid — effect on security deposit, 70-25-202, 70-25-204
Visually disabled persons, See **BLIND OR VISUALLY DISABLED PERSONS**
Waivers
  rent, acceptance as waiver of landlord's remedies, 70-24-423
  rental agreement, waiver of rights and remedies prohibited, 70-24-202, 70-25-103
  security deposit, waivers prohibited, 70-25-103
  settlement, waivers in unenforceable, 70-24-404
Wrongful possession, 70-24-302, See **Recovery of possession**

LANDOWNER NOTIFICATION ACT, Title 82, chapter 2, part 3
  See **MINES AND MINING, Notice**

LAND SALES PRACTICES ACT, FOREIGN, Title 76, chapter 4, part 12
  See **SUBDIVISIONS, Out-of-state subdivisions, in-state sales**

LANDSCAPE ARCHITECTURE AND ARCHITECTS
Advertising, 37-66-302
Affidavit for substantiation of violations, 37-66-323
Alien architects, 37-66-306
Art for state buildings, nonapplicability, 22-2-403
Board of Landscape Architects, 2-15-1872; Title 37, chapter 66, part 2
Business licenses, 37-66-303, 49-3-204
Citation of Landscape Architecture Registration and Licensing Act, 37-66-101
Exemptions from provisions, 37-66-105
False practices, 37-66-104
Fines, 37-66-322
Foreign architects, 37-66-306
Fraudulent practices, 37-66-321
Incompetency, 37-66-321
Licenses and licensing, Title 37, chapter 66, part 3
  aliens, 37-66-306
  businesses, 37-66-303
  discrimination in issuance prohibited, 49-3-204
  display, 37-66-308
  examinations, 37-66-305
  expiration, 37-66-307
  false or forged evidence in obtaining, 37-66-104
  fees, 37-66-307
  fraud or deception in procuring, 37-66-321
  individuals, limited to, 37-66-303
  misuse, 37-66-104
  nonresidents, 37-66-306
  partnerships, 37-66-303
  qualifications, not required, 37-66-304
  reciprocity, 37-66-306
  reinstatement, 37-66-321
  renewal, 37-66-307
  required, 37-66-104, 37-66-301, 37-66-302
  restrictions, 37-66-303
  revocation or suspension, 37-66-307, 37-66-321
  withdrawal by licensee, 37-66-307
Nonresidents, 37-66-306
Partnerships, 37-66-303
Practice of landscape architecture
  license required, 37-66-104, 37-66-301
  title, illegal use, 37-66-302
Purpose of Landscape Architecture Registration and Licensing Act, 37-66-102
Seal, 37-66-308
Title, illegal use, 37-66-302
Unlawful practices, 37-66-104
  penalty, 37-66-322
  prosecution, 37-66-323

LANDSCAPE MANAGEMENT, Title 75, chapter 15
  See **JUNKYARDS; OUTDOOR ADVERTISING**

LAND SURVEYORS
  See **COUNTY SURVEYOR; ENGINEERS AND LAND SURVEYORS; PROPERTY, REAL, Surveying**

LAND USE PLANNING
  See also generally **ECONOMIC DEVELOPMENT; ZONING**
Air pollution control, Title 75, chapter 2, See **AIR QUALITY**
Airports, See **AIRPORTS AND LANDING FIELDS**
Burial site protection, Title 22, chapter 3, part 8, See **HUMAN SKELETAL REMAINS AND BURIAL SITE PROTECTION**
Citation of acts
  open-space land and voluntary conservation easement act, 76-6-101
  natural areas act of 1974, 76-12-101
Commerce, Department of — county land planning funds, distribution, 90-1-108
Conservation districts, land use regulations, Title 76, chapter 15, See **CONSERVATION DISTRICTS**
Conservation easements, Title 76, chapter 6, part 2, See **Open-space land**
County land planning funds, 15-35-108, 90-1-108
County-owned lands, 7-8-2501, 90-6-201
Environmental Policy Act, Title 75, chapter 1, parts 1 — 3, See **ENVIRONMENTAL PROTECTION, Policy of state**
Facility Siting Act, Title 75, chapter 20, See **FACILITY SITING**
Flathead Basin, 2-15-213 — 2-15-215; Title 75, chapter 7, part 3, See **LAKES, Flathead Basin Commission**
Floodplain and floodway regulations, Title 76, chapter 5, part 11, See **FLOODPLAINS AND FLOODWAYS**
Forest practices in streamside management zones, 77-5-301 — 77-5-307
Forests, development and management, Title 76, chapter 13, See **ECONOMIC DEVELOPMENT; FORESTS AND FORESTRY, Development; Forest practices; Management**
Grazing districts, within, Title 76, chapter 16, See **GRAZING DISTRICTS**
Human skeletal remains, protection, Title 22, chapter 3, part 8, See **HUMAN SKELETAL REMAINS AND BURIAL SITE PROTECTION**
Interlocal cooperation commission, considerations in preparation of proposals, 7-11-225
Landscape architects, Title 37, chapter 66
Local government, mandatory provisions, 7-1-114
Major Facility Siting Act, Title 75, chapter 20, See **FACILITY SITING**
Megalandfill siting, Title 75, chapter 10, part 9, See **MEGALANDFILL SITING**
Natural areas
  account, special revenue, 76-12-123
  administration or enforcement, 76-12-115, 76-12-121 — 76-12-123
  advisory council, 2-15-3203, 76-12-104, 76-12-121, 76-12-122
  citation of natural areas act of 1974, 76-12-101
  condemnation, 76-12-108, 76-12-110
  conflict of laws, 76-12-117
  definitions, 76-12-104
  designation or acquisition, 76-12-107
    condemnation or development, authorization and restrictions, 76-12-108, 76-12-110
    existing uses, continuation, 76-12-111
    generally, 76-12-102, 76-12-104, 76-12-107, 76-12-108
    hearings and notice, 76-12-112
    recommendations regarding, 76-12-121

LAND USE PLANNING (Continued)
Natural areas (Continued)
  designation or acquisition (Continued)
    report concerning, 76-12-109
    restrictions, additional, 76-12-117
  development, 76-12-110
  eminent domain, 76-12-108, 76-12-110
  establishment, 76-12-102, 76-12-103, 76-12-121
  files as public record, 76-12-116
  fire suppression costs, 76-12-121
  floodways, within, Title 76, chapter 5
  gifts, 76-12-107, 76-12-123
  land
    acquisition, 76-12-107, 76-12-108
    registration, 76-12-107, 76-12-121
    uses, 76-12-111, 76-12-121
  legislative findings, 76-12-102
  management, 76-12-104, 76-12-107, 76-12-121
  multiple uses, availability for, 76-12-121
  policy, 76-12-103
  protection, 76-12-103, 76-12-104, 76-12-107, 76-12-112
  register, 76-12-104, 76-12-121
  registration, 76-12-107, 76-12-121
  reports concerning, 76-12-109
  rules, 76-12-112
  signs, location, 75-15-113
  state lands, on, 76-12-103, 76-12-107, 76-12-121
  system, plan for, 76-12-104, 76-12-121
Natural Areas Act of 1974, Title 76, chapter 12
Open-space land
  citation of open-space land and voluntary conservation easement act, 76-6-101
  comprehensive planning, 76-6-104
    authorization for, 76-6-110
    conservation easement, relationship of proposed conveyance, 76-6-206
    counties, by, 7-16-2324
  conservation easements, 70-17-101, 70-17-102, 76-6-201
    acquisition, 7-7-2101, 76-6-204
    assignability, 76-6-205
    conversion or diversion of land created by, 76-6-107
    duration, 76-6-202, 77-2-319
    enforcement, 76-6-210, 76-6-211
    natural areas, for, 76-12-107
    permissible types, 76-6-203, 77-2-319
    recording and description, 76-6-207
    renewal, 76-6-202, 76-6-208
    review, 76-6-206
    run with the land, to, 76-6-209, 77-2-319
    taxation of property subject to, 76-6-208
    upland game bird enhancement projects, 87-1-248
  construction of provisions, 76-6-105
  conversion or diversion, 76-6-107
  conveyance or lease, 76-6-108, 76-6-205, 76-6-206
  development, Title 76, chapter 2, See **ZONING**
  findings, 76-6-102
  floodways, permissible uses, Title 76, chapter 5, part 11
  funds, 76-6-109, 76-6-110
  gift provisions, 76-6-105, 76-6-106

LAND USE PLANNING (Continued)
Open-space land (Continued)

- planning commission
  - authorization and funding, 76-6-110
  - conservation easements, review, 76-6-206
  - public body, powers exercised through, 76-6-109
- policy regarding, 76-6-102
- property
  - acquisition and designation, 76-6-106
  - conveyance or lease, 76-6-108
  - in-kind payment of inheritance and estate taxes for conservation, 72-16-445
  - public bodies, powers, 76-6-109
  - substitution when, 76-6-107
  - taxation of property subject to conservation easements, 76-6-208
- public body, 76-6-104
  - conservation easements, acquisition by, 76-6-201
  - powers generally, 76-6-109
  - property, acquisition and designation, 76-6-106
- purpose of provisions, 76-6-103
- special improvement districts, creation for, 7-12-4102
- subdivisions, planning for, Title 76, chapter 4, See **SUBDIVISIONS**

Open-Space Land and Voluntary Conservation Easement Act, Title 76, chapter 6
Parking commission facilities, compliance with laws, 7-14-4631
Planning boards, Title 76, chapter 1, See **PLANNING BOARDS**
Rangelands and range management plans, 76-14-105, See **RANGELAND RESOURCES**
Renewable resource development, Title 85, chapter 1, part 6
Shooting ranges, 76-9-103 — 76-9-105
Soil conservation and erosion control, Title 76, chapter 15, See **CONSERVATION DISTRICTS**
Soil survey and mapping program, Title 76, chapter 11, part 2

- advisory Council, 2-15-3306, 76-11-204
- equipment, personnel, and facilities, 76-11-203
- funds or grants, 76-11-203
- natural resources and conservation, department of — duties, 5-11-210, 76-11-203, 76-11-204
- plan for program, 2-15-3306, 76-11-203, 76-11-204
- professional and technical assistance, 76-11-204
- purpose of provisions, 76-11-202
- tax uses, 15-7-103

State lands, 77-1-401 — 77-1-404, 77-1-605; Const., X, 11, See **STATE LANDS**
Streamside management zones, forest practices in, 77-5-301 — 77-5-307
Subdivisions, Title 76, chapter 4, See **SUBDIVISIONS**
Timber development and management, Title 76, chapter 13, See **FORESTS AND FORESTRY, Development; Forest practices; Management**
Urban renewal, Title 7, chapter 15, parts 42 and 43, See **URBAN RENEWAL**
Water pollution control, Title 75, chapter 5, See **WATER QUALITY**

LAW

See also generally **BALLOT ISSUES; COURTS; JUDGES AND JUSTICES; LEGISLATURE**

Action in

- days counted, 1-1-306
- postponement of day, 1-1-307

Amendments, See **Enactment and repeal**
Annotations to Montana Code Annotated, 1-11-103, 1-11-204
Attainder prohibited, Const., II, 30
Bills, See **Enactment and repeal**

LAW (Continued)

Choice of law, See **CONFLICT OF LAWS**
Code commissioner, See also **PUBLIC OFFICERS OR EMPLOYEES**, generally
  duties, 1-11-204
  Montana code annotated
    notes, 1-11-103
    publication and sale, See **Montana Code Annotated**
  office created, 1-11-201
  publications distribution, exempt from state publications library distribution regulations, 22-1-218
  qualifications, 1-11-202
  reports by, 1-11-204, Refer to Annotations to Montana Code Annotated, Vol. 1, Code Commissioner's Reports
  supervision, 1-11-203
"Code" or "Codes" defined, 1-11-101, See **Montana Code Annotated; Revised Codes of Montana, 1947**
Commission on Uniform State Laws, See **Uniform State Laws, Commission on**
Common law
  administrative procedure
    acupuncturists' licenses — denial, suspension, or revocation — nonapplicability, 37-13-314
    applicability, 2-4-612
  applicability, 1-1-108, 1-1-109
  attorneys at law, admission of nonresidents, 37-61-208
  boat owner's liability for negligent operation, 23-2-505
  criminal code inapplicability, 45-1-102
  development corporation stock ownership, inapplicability, 32-4-208
  disasters and emergencies, authority of governor, 10-3-102
  hazardous or deleterious substance, release — remedial action contractor's liability, 75-10-718
  health care information, patient authorization for disclosure not waiver of rights, 50-16-526
  judicial notice mandatory, Title 26, chapter 10, M.R.Ev., Rule 202
  labor and industry, department of
    hearings, nonapplicability, 39-71-318
    hearings officers not bound by, 39-3-216
  perpetuities, rule against — statutory exclusions, 72-2-1005
  personnel appeals, board of — not bound by, 39-31-207
  professional limited liability company, relationship to clients and patients — applicability, 35-8-1307
  state tax appeal board not bound by, 15-2-301
  statutes in derogation of, 1-2-103
  trademarks, applicability, 30-13-334, 30-13-336
  trusts, applicability, 72-33-103, 72-34-506
  unemployment insurance disputed claims hearings, applicability, 39-51-2407
  "unwritten law" defined, 1-1-107
  water proceedings, applicability, 85-2-121
  workers' compensation judge bound by, 39-71-2903
  wrongful discharge from employment, preemption of remedies, 39-2-913
Conflict of laws, See **CONFLICT OF LAWS**
Constitution, See **CONSTITUTION OF MONTANA**
  challenges, See **CONSTITUTIONAL CHALLENGES**
  expression of law, 1-1-102
  written law of state, 1-1-105
Construction, See **Statutes**
Contracts, impairment, Const., II, 31; XIII, 1

LAW (Continued)

Definitions, 1-1-101, 1-11-101; Title 1, chapter 1, parts 1 and 2, See **WORDS AND PHRASES DEFINED IN CODE**, following general index
Effective date, See **Enactment and repeal**
Emergency laws, enactment and duration, 10-3-503, 10-3-505 — 10-3-507; Const., III, 2
Emergency suspension, 10-3-104
Enacting clause, required form, 5-4-101
Enactment and repeal
  administrative rule, implementation by — when, 2-4-305, 5-4-402
  amendment of statute
    effect, 1-2-108, 1-2-203
    repealed act, amendment void, 1-2-204
    uncodified provisions redundant with codified provisions, effect on, 1-2-208
  authentication, acts of congress relating to, Refer to Annotations to Montana Code Annotated, Vol. 1, Federal materials
  ballot issues, effective date, 13-27-105
  bills and resolutions
    administrative rules, changes or repeal, 2-4-412
    agencies and programs, bill for termination or reestablishment, 2-8-105, 2-8-112, 2-8-122
    amendatory veto, 5-4-304; Const., VI, 10
    amendment, Const., V, 11
    appropriations, 1-2-201, 5-4-303, 5-4-305; Const., V, 11
      overspending, complaints, 17-8-104
      reconsideration, 5-4-303
      unlawful expenditure, 17-8-104
    authentication requirements, 5-4-305, 5-4-307
    budget bills, referral and amendment, 17-7-131
    building construction, consent by joint resolution when, 18-2-102
    conference committee requested when, 5-4-304
    custody of resolutions, 2-6-111
    effective date, 1-2-201, 1-2-202, 13-27-105
    enacting clause, form, 5-4-101
    energy policy analysis, 90-4-1004
    enrolled bills, effect, 1-11-103
    final publication, See **Session laws**
    fiscal notes, See **LEGISLATURE, Fiscal notes**
    governor's action on, See **GOVERNOR, Legislature**
    intent, legislative — inclusion when, 5-4-404
    joint resolutions
      administrative rules, changes or repeal, 2-4-412
      appropriations, unlawful expenditure, 17-8-104
      effective date, 1-2-202
      energy supply emergency conditions, declaration to extend or cease, 90-4-310
      postattack recovery and rehabilitation proclamation, issuance — authority for or concurrence, 10-3-505
      state water plan, revision by, 85-1-203
    laws, bills become — when, 5-4-305 — 5-4-307; Const., VI, 10
      effective date, 1-2-201
    licensing boards, bills for — legislative audit committee report required with, 5-4-207
    local or special acts prohibited, Const., V, 12
    one subject, Const., V, 11
    passage, Const., V, 11
    passed bills, assignation of chapter number, 5-11-204
    publication and distribution, See **LEGISLATIVE COUNCIL, Proceedings**
    purpose, Const., V, 11

LAW (Continued)
Enactment and repeal (Continued)
  bills and resolutions (Continued)
    reconsideration, 5-4-303, 5-4-304; Const., VI, 10
    sponsor's fiscal note, 5-4-204, See also **LEGISLATURE**, **Fiscal notes**
    statements of intent, 5-4-401 — 5-4-404, 17-7-138
    statute of limitation on challenge, Const., V, 11
    subcommittees, preparation by, 5-5-215
    tampering with, unlawful, 45-7-208
    title, 2-8-122, 5-4-102, 5-4-306; Const., V, 11
    veto, See **GOVERNOR**, **Legislature**
    vote of
      legislature, required for passage, Const., V, 11
      people, referred to — limitation on title, 5-4-102
  challenges, Const., V, 11
  effective date, 1-2-201, 1-2-202
    ballot issues, 13-27-105
  emergency laws, 10-3-503, 10-3-505 — 10-3-507; Const., III, 2
  enacting clause, required form, 5-4-101
  initiative and referendum, See **BALLOT ISSUES**, **Initiatives; Referendums**
  joint resolutions
    administrative rules, changes or repeal, 2-4-412
    appropriations, unlawful expenditure, 17-8-104
    effective date, 1-2-202
    energy supply emergency conditions, declaration to extend or cease, 90-4-310
    postattack recovery and rehabilitation proclamation, issuance — authority for or concurrence, 10-3-505
    state water plan, revision by, 85-1-203
  legislative intent regarding discretionary authority of state agencies, Title 5, chapter 4, part 4, See **LEGISLATURE**, **Legislative History Act**
  legislative power not to be abridged when, 3-2-708
  local or special legislation to be avoided, Const., V, 12
  motor vehicle fees or taxes, providing — effective date, 1-2-201
  "passage" defined, 1-2-201; Const., V, 12
  repeal of statutes, 1-2-110
    amendment, void, 1-2-204
    criminal offense, law creating — effect, 1-2-205
    repealing act, no revival, 1-2-207
    subsequent repeal, effect, 1-2-206
    uncodified provisions redundant with codified provisions, effect on, 1-2-208
  supreme court not to abridge legislative power, 3-2-708
  tampering with, unlawful, 45-7-208
Enforcement, Const., VI, 4
Ex post facto laws
  prohibited, Const., II, 31; XIII, 1
  prosecution under repealed statute not a violation, 1-2-205
Expression of, 1-1-102
Foreign law, See **FOREIGN LAWS**
Holidays and business days
  action in
    days counted, 1-1-306
    postponement of day, 1-1-307
  defined, 1-1-216
Initiative and referendum, See **BALLOT ISSUES**, **Initiatives; Referendums**
Instruments, interpretation, Title 1, chapter 4, part 1, See **INSTRUMENTS**, generally
Judicial notice, See **EVIDENCE**
Laws of Montana, See **Session laws**

LAW (Continued)

Maxims of jurisprudence
- acquiescence in error, 1-3-207
- acts
  - idle, 1-3-223
  - of others, 1-3-211
  - on one's behalf, 1-3-210
- benefit — burden, 1-3-212
- certainty, 1-3-229
- change in purpose, 1-3-203
- consent to act, effect, 1-3-206
- contemporaneity, preference for, 1-3-226
- control, man's — responsibility beyond, 1-3-217
- dispossession, fraudulent, 1-3-209
- earliest rights preferred, 1-3-216
- equal in right or wrong, 1-3-215
- essentials, grant includes, 1-3-213
- form and substance, 1-3-219
- fraudulent dispossession, 1-3-209
- general versus particular, 1-3-225
- grant includes essentials, 1-3-213
- idle acts, 1-3-223
- impossibilities, 1-3-222
- incident and principal, 1-3-231
- innocent persons, suffering, 1-3-234
- interpretation
  - reasonableness, 1-3-233
  - voidness, not preferred, 1-3-232
- larger, smaller within, 1-3-227
- nonexistence, apparent, 1-3-221
- own wrong, no advantage, 1-3-208
- particular versus general, 1-3-225
- preference
  - for contemporaneity, 1-3-226
  - to earliest rights, 1-3-216
- principal and incident, 1-3-231
- purpose
  - change in, 1-3-203
  - of maxims, 1-3-101
- remedy for every wrong, 1-3-214
- responsibility beyond man's control, 1-3-217
- right or wrong, equal in, 1-3-215
- rights, limitation, 1-3-205
- rule and reason
  - reason ceases, rule ceases, 1-3-201
  - reason same, rule same, 1-3-202
- smaller within larger, 1-3-227
- substance and form, 1-3-219
- superfluity, 1-3-228
- third parties, who suffers, 1-3-234
- trifles, 1-3-224
- vigilant helped by law, 1-3-218
- void act, 1-3-230
- waiver of statutory rights permitted when, 1-3-204
- what ought to have been done, 1-3-220

LAW (Continued)
Maxims of jurisprudence (Continued)

- wrong
  - own, no advantage, 1-3-208
  - remedy for, 1-3-214

Meaning of, Title 1, chapter 1, part 1
Montana Code Annotated

- administrative rules, citations within, 2-4-305
- ancillary publications, 1-11-303, 1-11-304
- bids for publication and sale, 1-11-301
- citation, 1-11-102
- city courts, provision to, 3-11-206
- copyright and ownership, 1-11-304
- distribution, free, 1-11-301
- effect, 1-11-103
- enactment, effect, 1-11-103
- justices' courts to have edition of code, 3-10-103
- legislators and legislative committees, availability to, 5-11-209
- libraries, provision to, 1-11-301
- name, 1-11-102
- printing, 1-11-301, 18-7-101, 18-7-107, See also **PUBLIC CONTRACTS**, **Printing**
- publication
  - specifications, 1-11-301
  - supplemental material, 1-11-204, 1-11-303
- recodification, name of, 1-11-102
- sales price, 1-11-301
- statutes, local — effect on, 1-2-111
- supplements or replacements
  - authority for issuance, 1-11-303
  - certification and deposit, 1-11-302
  - copyright, 1-11-304
  - format and approval, 1-11-302
- updates, 1-11-204, 1-11-302

"Notice, actual and constructive" defined, 1-1-217
Obedience, presumption, 26-1-602
Official laws of Montana, 1-11-103, See **Montana Code Annotated**
Ordinary law, 1-1-103
Organic law, 1-1-103, 1-1-105
Out-of-state laws, See **FOREIGN LAWS**
Practice of, See **ATTORNEYS AT LAW**, generally
Privileges and immunities, irrevocable grant by legislature prohibited, Const., II, 31
Public officers, words giving joint authority to, 1-1-218
Public record, as, See **PUBLIC RECORDS**, generally
Reciprocal laws, See **FOREIGN LAWS**
Recodification

- code commissioner, duties, 1-11-204
- name of, 1-11-102
- "recodify" defined, 1-11-101

Referendum, See **BALLOT ISSUES**
Repeal of laws, See **Enactment and repeal**
Residence provisions, See **RESIDENCE**
Retroactive when, 1-2-109
Retrospective operation, Const., II, 31; XIII, 1
Revised Codes of Montana, 1947

- defined, 1-11-101
- reenactment, Montana code annotated as, 1-11-103

School of, See **UNIVERSITY OF MONTANA, Law school**

LAW (Continued)

Session laws
- appropriations, separate index for, 5-11-206
- chapter numbers, assignation, 5-11-204
- code sections affected list, 5-11-206
- county boundaries, description, 5-11-207
- defined, 5-11-211
- distribution, 5-11-203, 22-1-218
- expenses, payment, 5-11-208
- format for publication, 5-11-205
- indexes, 5-11-202, 5-11-205, 5-11-206
- Montana code annotated, cross-reference indexes, 1-11-204
- printing, 5-11-202, 18-7-101, 18-7-107, See also **PUBLIC CONTRACTS**, **Printing**
- publication, format, 5-11-205
- resolutions, inclusion, 5-11-205
- watercourse name changes, inclusion, 2-15-401

State mandates
- local governments, to, 1-2-112
- school districts, to, 1-2-113

Statutes
- amendment, See **Enactment and repeal**
- bills and resolutions, See **Enactment and repeal**
- construction
  - common law, in derogation of, 1-2-103
  - constitutional questions, See **CONSTITUTIONAL CHALLENGES**
  - criminal provisions, 45-1-102 — 45-1-104, 45-1-201, 45-2-101
  - definitional rules, general, 1-2-105
  - definitions, applicability, 1-2-107
  - delegation of authority, legislative intent concerning, Title 5, chapter 4, part 4, See **LEGISLATURE**, **Legislative History Act**
  - issue of law, 26-1-201
  - judge, interpretation by, 1-2-101
  - jurisdiction of court, 25-7-102
  - legislative intent, 1-2-102, 5-4-401 — 5-4-404
  - particular and general provisions, 1-2-102, 1-3-225
  - preference to natural right, 1-2-104
  - reference to other titles, chapters, parts, sections, and subsections, 1-2-108
  - terminology, See **Terminology**; See also **WORDS AND PHRASES DEFINED IN CODE**, following general index
  - words and phrases, 1-2-106, See also **WORDS AND PHRASES DEFINED IN CODE**, following general index
- delegation of authority, legislative intent, 5-4-401 — 5-4-404
- enactment and repeal, See **Enactment and repeal**
- expression of law, 1-1-102
- interpretation, 1-3-225, 1-3-232, 1-3-233
  - legislative intent concerning delegation of authority, 5-4-401 — 5-4-404
- judicial notice, See **EVIDENCE**, **Judicial notice**
- kinds, 1-1-106
- liberalness, 1-2-103
- local government duties, imposition, 1-2-112
- local, preservation, 1-2-111
- plain language in contracts provisions, effect, 30-14-1104
- private statutes
  - defined, 1-1-106
  - preservation, 1-2-111
- "public statutes" defined, 1-1-106

LAW (Continued)
Statutes (Continued)

- recitals within as evidence, 26-1-604
- repeal, See **Enactment and repeal**
- retroactive when, 1-2-109
- school district duties, imposition, 1-2-113
- special, preservation, 1-2-111
- trust code, references, 72-33-107
- uncodified because redundant — effect of subsequent amendment, repeal, or deletion of codified provision, 1-2-208
- written law, as, 1-1-105

Suspension
- emergency, 10-3-104
- referendum, by, Const., III, 5

Terminology, See also **WORDS AND PHRASES DEFINED IN CODE**, following general index
- general, 1-1-201, 1-1-207
- instruments and other writings, relating to, 1-1-203
- judiciary, relating to, 1-1-202
- obligations and transactions, relating to, 1-1-206
- procedure, relating to, 1-1-202
- property and decedents' estates, relating to, 1-1-205
- state of mind, denoting, 1-1-204

Uniform State Laws, Commission on
- appointment to, 1-12-101
- composition, 1-12-101
- creation, 1-12-101
- duties of commissioners, 1-12-104
- term of office, 1-12-101
- vacancies, how filled, 1-12-102

Unwritten law, 1-1-103
- defined, 1-1-107

Written law, 1-1-103
- contained in constitution and statutes, 1-1-105
- defined, 1-1-104, 2-6-101

Wrongful discharge, "public policy" defined, 39-2-903

LAW ENFORCEMENT
Academy
- citation of Montana law enforcement academy act, 44-10-101
- civil disorder, prohibited activities and exceptions, 45-8-107 — 45-8-109
- crime control, board of — standards established by, 44-4-301
- crime victim assistance, training, 46-24-102
- establishment, 44-10-102, 44-10-103
- justice, department of — governance, powers, and duties, 44-10-201, 44-10-202
- officers and other individuals who attend, 44-10-301 — 44-10-303
  - deputy sheriffs, 7-32-2106
  - probation and parole officers, 46-23-1003
- peace officers' basic equivalency tests and training courses, administration, 7-32-303
- purpose of provisions, 44-10-102
- sessions, determination, 44-10-203

Adult protective service teams, membership, 52-3-805
Appellant Defender Commission member, service as official prohibited, 2-15-1020
Arson-caused fires, investigations, 46-18-261, 50-3-102
Attorney general, legal officer of state, Const., VI, 4, See **ATTORNEY GENERAL**
Child support enforcement, cooperation, 40-5-206
City marshal, See **CITY MARSHAL**

LAW ENFORCEMENT (Continued)

Civil disorder, prohibited activities and exceptions, 45-8-107 — 45-8-109
Constables, See **CONSTABLES**
Corpses, suicide note or property with or upon person of deceased, 7-4-2917
County park warden, powers limited, 7-16-2322
County sheriff, See **COUNTY SHERIFF**
Crime Control, Board of, See **CRIME CONTROL**
Crimestoppers programs
  fish and wildlife, 87-5-605
  livestock, 2-15-3104, 81-6-313
Crime victims and witnesses — treatment, protection, and services, See **CRIME VICTIMS AND WITNESSES**
Criminal identification, Title 44, chapter 2, part 2 and chapter 5
Criminal information, Title 44, chapter 5
Criminal investigation, Title 44, chapter 2, part 1; chapters 3 and 5
Detention centers, use, 7-32-2242
Dogs running at large, seizure and impoundment, 7-23-102
Firearms safety or training courses, 45-8-321
Fish and game wardens, Title 87, chapter 1, part 5
Forensic science, Title 44, chapter 3
Hazardous chemical violations reported to, 50-78-301
Hazardous material incidents, recovery of costs, 75-10-716, 75-10-717
Health care information, disclosure to — when, 50-16-530, 50-16-535
Highway patrol officers, See **HIGHWAY PATROL OFFICERS**
Home arrest, list of offenders to agencies, 46-18-1006
Interstate Law Enforcement Mutual Aid Act, Title 44, chapter 11, part 3
Land mobile public safety radio frequencies, 2-17-311 — 2-17-313
Law Enforcement Network System (LENS), 61-3-106
License plates and certificates of registration, confidential, 44-4-201 — 44-4-206
Livestock inspectors and detectives, 81-1-201
Lottery, state
  commission, qualification for office, 23-7-201
  security, assistant director for — qualification for office, 23-7-212
  security division, designation, 23-7-212
Memorial, Law Enforcement Officers', 22-3-701
Mental health professionals, information regarding threat of violence by patient, 27-1-1102
Missing persons, Title 44, chapter 2, parts 4 and 5
Motor vehicle purchase stickers obtained from, 61-3-317
National Crime Information Center (NCIC), 44-2-503, 44-2-505, 61-3-106
9-1-1 emergency telephone system, Title 10, chapter 4, parts 1 — 3
Peace officers, See **PEACE OFFICERS**
Police, See **POLICE**
Police dog, injuring, 45-8-209
Public defender, 46-8-202
Public safety communications officers, 7-31-201 — 7-31-203, 44-4-301, 44-4-302
Public Safety, Department of, See **COUNTIES**
Records, 7-1-4144, 40-4-225
Retirement systems, Title 19, chapters 6, 7, 8, 9, and 10
Roadblocks, 46-1-202, 46-5-502, 46-5-510
Sexual offender registration, 46-18-254, 46-18-255, 46-23-501 — 46-23-507
Standards prescribed by Board of Crime Control, 44-4-301
State-tribal cooperative agreements, Title 18, chapter 11, part 1
Tactical incident assistance, 10-3-701 — 10-3-705
Teletypewriter communications systems
  establishment, 44-2-301
  facilities and equipment, acquisition, 44-2-302

LAW ENFORCEMENT (Continued)
Teletypewriter communications systems (Continued)

- funding, 44-2-303, 44-2-304, 44-2-311 — 44-2-316
- participants, 44-2-301, 44-2-311
- personnel, 44-2-302, 44-2-316
- records and reports, 44-2-304, 44-2-314
- removal from system, 44-2-315

Trees and boughs, coniferous — bill of sale or authorization exhibited on request by, 76-13-601

LAW LIBRARY
Acquisitions, 22-1-501, 22-1-503, 22-1-504
Administration, 22-1-503
Administrative rules and register, copy distributed to and maintenance, 2-4-313
Board of trustees, 22-1-501 — 22-1-503
Borrower's liability, 22-1-506
Chief justice of supreme court, member of board of trustees, 22-1-502
Contents, 22-1-501
Creation, 22-1-501
Employment preference to handicapped persons, Title 39, chapter 30, See **LABOR AND EMPLOYMENT**, **Preference to handicapped persons**
Expenses, 22-1-503
Interstate Library Compact, 22-1-601, 22-1-602
Journals, house and senate — copies to, 5-11-203
Legislative proceedings, fee exemption, 5-11-214
Liability of borrower, 22-1-506
Librarian

- appointment, 22-1-503
- duties, 22-1-503, 22-1-504
- use rules, 22-1-505

Location, 22-1-502
Montana Code Annotated, distribution to, 1-11-301
Open to public, 22-1-503
Publications distribution

- exempt from state publications library distribution center regulations, 22-1-218
- journals, house and senate — to exchange libraries, 5-11-203
- session laws, to exchange libraries, 5-11-203
- supreme court decisions, to exchange libraries, 3-2-604

Records confidentiality, 22-1-1101 — 22-1-1103, 22-1-1111
Rules for, 22-1-503, 22-1-505
Session laws, copies to, 5-11-203
State Law Library fund, 22-1-503
Supreme court

- decisions, provision to, 3-2-604
- justices, members of board of trustees, 22-1-502
- use, 22-1-505

Use, 22-1-505

LEASES
See also **LANDLORD AND TENANT**, **Rental agreement**; **PROPERTY, PERSONAL, Rentals**; **PROPERTY, REAL, Estates** entries; **Rents and profits**; **UNIFORM COMMERCIAL CODE, GENERAL PROVISIONS**
Accelerate at will, option, 30-2A-109
Acceptance

- casualty to identified goods, 30-2A-221
- contract, formation — offer and acceptance, 30-2A-206
- course of performance, 30-2A-207
- default, 30-2A-516, 30-2A-519

LEASES (Continued)
Acceptance (Continued)

- delegation of duties, by transferee, 30-2A-303
- goods, 30-2A-515, 30-2A-516
- improper delivery, lessee's rights, 30-2A-509
- nonacceptance, lessor's damages, 30-2A-528, 30-2A-529
- nonconforming delivery, 30-2A-401, 30-2A-510, 30-2A-519
- nonconforming payment, effect on future performance, 30-2A-401
- nonconforming tender, damages, 30-2A-519
- nonconformity, knowledge of — effect, 30-2A-516
- nondelivery, damages, 30-2A-519
- notice, 30-2A-206
- promises of finance lessee, irrevocability, 30-2A-407
- rejected goods, nonapplicability, 30-2A-511, 30-2A-512
- rejection of goods, 30-2A-516, 30-2A-519
- rent, lessor's action for, 30-2A-529
- repudiation, damages, 30-2A-519
- revocation of acceptance of goods, 30-2A-220, 30-2A-508, 30-2A-516, 30-2A-517, 30-2A-519, 30-2A-520, 30-2A-523, 30-2A-527
- risk of loss, default — effect on, 30-2A-220
- substituted performance, 30-2A-404
- substitution of goods, excused performance, 30-2A-406
- warranty, breach of — damages, 30-2A-519

Accessions, 30-2A-103, 30-2A-310
Acknowledgment, 30-2A-219, 30-2A-526
Actions, 30-1-201

- assignees, remedies against, 70-26-105
- contracts, enforceability, 30-2A-201
- default, 30-2A-506, 30-2A-516
- delivery, installment lease contracts — rejection and default, 30-2A-510
- indemnity, 30-2A-506
- infringement, 30-2A-516
- injury to goods, standing to sue third parties for, 30-2A-531
- merchant lessee's duties as to rightfully rejected goods, nonapplicability, 30-2A-511
- notice to person answerable over, 30-2A-516
- possession of goods, lessor's right to, 30-2A-525
- reentry, action for possession under right of, 70-16-402, 70-27-107
- rent, lessor's action for, 30-2A-529
- statute of frauds, 30-2A-201
- statute of limitations, 30-2A-506
- unconscionability actions, attorney's fees, 30-2A-108
- warranty, breach of, 30-2A-506, 30-2A-516

Administrative proceedings, default procedure, 30-2A-501
Advances, 30-2A-103, 30-2A-307, 30-2A-310, 30-9-105
Adverse possession, effect upon, 70-19-412, 70-19-413
Advertising, outdoor — for property, 75-15-111
Affirmation of fact, 30-2A-210, 30-2A-212
Agency, 30-2A-201, 30-2A-511
Agreement, 30-1-201, 30-2A-103, See also **Contracts**

- acceptance of goods, revocation, 30-2A-517
- breach, remedies against assignees, 70-26-105, 70-26-106
- cancellation, 30-2A-309
- construction, 30-2A-207
- consumer lease, applicable law and judicial forum — limitation on parties' power to choose, 30-2A-106
- course of dealing, 30-2A-202
- course of performance, 30-2A-202

LEASES (Continued)
Agreement (Continued)

- cover, lessee's, 30-2A-518, 30-2A-519
- damages, liquidation, 30-2A-504, 30-2A-518, 30-2A-527, 30-2A-528
- default, 30-2A-309, 30-2A-501, 30-2A-503
- description of goods, 30-2A-212
- disposal of goods by lessor, 30-2A-527
- evidence, parol or extrinsic, 30-2A-202
- expiration, 30-2A-309
- explained, 30-2A-202
- express terms, 30-2A-207
- false identification when obtaining, 45-6-309
- final written expression, 30-2A-202
- fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- formation in general, 30-2A-204
- identification of goods, 30-2A-217
- insurance, for payment or beneficiary, 30-2A-218
- "lease agreement" defined, 30-2A-103
- meaning, determination, 30-2A-207
- modification, 30-2A-208, 30-2A-406
- moment of making, 30-2A-204
- nonconformity, remedy provided by, 30-2A-516
- notice after default, 30-2A-502
- oral, 30-2A-202
- possession of goods following judgment for damages, 30-2A-529
- priority, subordination by, 30-2A-311
- purchase money lease, 30-2A-309
- rent, accrued and unpaid — lessor's damages, 30-2A-528
- rescission of contract, 30-2A-208
- return of property, requirements, 45-6-309
- security interest, creation or enforcement provisions, 30-2A-303, 30-2A-309
- supplemented, 30-2A-202
- termination, 30-2A-309
- term of lease, proof of market rent, 30-2A-507
- transfer of rights, 30-2A-303
- usage of trade, 30-2A-202
- varying law, 30-1-102, 30-1-105

Agricultural, Title 77, chapter 6
Agricultural associations, authority of directors, 35-16-207, 35-16-315
Agricultural land, foreclosed — right of immediately preceding owner, 25-13-901 — 25-13-904
Agricultural loan authority program, premiums for guarantee of loan payments, 80-12-215
Agricultural marketing associations, membership, 35-17-301
Agriculture, Department of — authority, 80-2-104
Aircraft, 67-1-101, 67-2-101
Airports and landing fields, See **AIRPORTS AND LANDING FIELDS**
Alcoholic beverages

- airport all-beverages license, 16-4-208
- beer brewers, importers, and wholesalers — fixtures or equipment to retailers prohibited when, 16-3-241
- beer brewers, storage depots, 16-4-102
- beer retailers, 16-3-241, 16-3-244
- buildings, land, plants, and equipment, 16-1-302
- golf course beer and wine licenses, 16-4-109
- licensed premises, lease expiration — effect, 16-4-404
- resort facilities, license requirements, 16-4-202

LEASES (Continued)
Alcoholic beverages (Continued)

  state liquor stores — closure, conversion, or sale upon lease expiration, 16-2-101
  yellowstone airport, seasonal beer and wine license, 16-4-304
Allocation of production and deliveries, 30-2A-405, 30-2A-406
Animals, unborn young as goods, 30-2A-103, 30-2A-217
Anticipatory repudiation, 30-2A-402, 30-2A-403, 30-2A-406
Apiaries, registrations, 80-6-112 — 80-6-114
Applicability of laws
  certificate of title statutes, leases subject to, 30-2A-104, 30-2A-105
  conflict of laws, 30-1-105
  consumer lease, limitation on power of parties to choose, 30-2A-106
  scope, 30-2A-102
  secured transactions, 30-9-102, 30-9-113, 30-9-504
  territorial extent, 30-1-105, 30-2A-105
  variance by agreement, 30-1-102, 30-1-105
Arbitration, default procedure, 30-2A-501
Assignment, 7-4-2619, 30-2A-407, 70-26-105, 70-26-106
Attachment, 30-2A-303, 30-2A-307
Attorney's fees, unconscionability actions, 30-2A-108
Attornment to stranger, 70-26-103
Avoidance of contract, 30-2A-221
Bailee, 30-2A-219, 30-2A-523, 30-2A-526
Beneficiary, 30-2A-209, 30-2A-216, 30-2A-218
Between merchants, 30-2A-103, 30-2A-208, 30-2A-401, 30-2A-514
Bill of lading, notice to stop delivery — effect, 30-2A-526
Boat dealers, 23-2-502
Breach of warranty, See **Warranties**
Businesses, leased — hours of work, 39-4-105
Buyer, 30-2A-103, 30-2A-308
Buyer in ordinary course of business, 30-1-201, 30-2A-103, 30-2A-305, 30-2A-310
Cable television systems, 35-18-102
Cancellation of agreement, 30-2A-309
Cancellation of contract, 30-2A-103
  accessions, lessor's and lessee's rights when goods become, 30-2A-310
  effect, 30-2A-505
  fixtures, lessor's and lessee's rights when goods become, 30-2A-309
  lessee's remedies, 30-2A-508
  lessor's remedies, 30-2A-523
  "lessor's residual interest" defined, 30-2A-103
  repudiation, retraction, 30-2A-403
  rights and remedies, cancellation of contract, 30-2A-303, 30-2A-505
Cancellation of irrevocable promises, 30-2A-407
Cancellation of nonconforming delivery, installment lease contracts — notice, 30-2A-510
Carrier, stoppage of delivery in transit or otherwise, 30-2A-526
Casualty to identified goods, 30-2A-221
Cemetery districts, 7-35-2109
Certificate of title, 30-2A-104, 30-2A-105, 30-2A-304, 30-2A-305
Choice of law, 30-1-105
Citation of Uniform Commercial Code, 30-1-103, 30-2A-101
City and town, See **CITIES AND TOWNS**
City-county consolidated governments, 7-3-1203
City or town lot, term of lease, 70-26-110
Claim and delivery, lessee's right to, 30-2A-521, See also **Recovery**
Claims
  damages, contract cancellation or rescission — effect, 30-2A-505
  default, 30-1-107, 30-2A-107, 30-2A-501, 30-2A-516

LEASES (Continued)
Claims (Continued)

- finance lease, lessee as beneficiary of supply contract, 30-2A-209
- indemnity, 30-2A-506
- infringement, 30-2A-211
- liens, priority arising by, 30-2A-307
- preexisting, special rights of creditors, 30-2A-308
- rescission of contract, rights and remedies, 30-2A-505
- waiver or renunciation after default, 30-1-107, 30-2A-107
- warranties, 30-2A-211, 30-2A-214

Coal, Title 77, chapter 3, part 3
Collateral at will, 30-2A-109
Commercial, See **LANDLORD AND TENANT; PROPERTY, REAL, Rents and profits**
Commercial development, Title 77, chapter 6
Commercial standards, grounds for insecurity, 30-2A-401
Commercial unit, 30-2A-103, 30-2A-509, 30-2A-515, 30-2A-517
Commissions, 30-2A-511, 30-2A-520, 30-2A-530
Community college districts and trustees, 20-15-107, 20-15-301
Condemnation, subject to, 70-30-104
Condominiums, 70-23-102, 70-23-201, 70-23-205, 70-23-301, 70-23-401, 70-23-601, 70-23-602, 70-23-609
Conflict of laws, 30-1-105, 30-2A-104, 30-2A-105
Consent

- accessions, lessor's and lessee's rights when goods become, 30-2A-310
- attornment to stranger, 70-26-103
- fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- injury to goods, standing to sue third parties for, 30-2A-531
- promises, irrevocable, 30-2A-407

Conservation districts, property acquisition by, 76-15-403, 76-15-404
Consideration

- agreement modifying contract, 30-2A-208
- "lease" defined, 30-2A-103
- lessee, payment — failure to reserve rights, effect, 30-2A-514
- offer, revocation, 30-2A-205
- "security interest" defined, 30-1-201
- waiver of claim or right without, 30-1-107, 30-2A-107

Construction, 30-1-102, 30-1-104, 30-2A-103, 30-2A-207, 30-2A-215
Construction mortgage, 30-2A-103, 30-2A-309
Consumer goods, consequential damages, 30-2A-503
Consumer lease, 30-2A-103

- accelerate at will, option to, 30-2A-109
- acceptance of goods, 30-2A-516, 30-2A-517
- applicable law and judicial forum, limitation on parties' power to choose, 30-2A-106
- casualty to identified goods, 30-2A-221
- damages, liquidation, 30-2A-504
- excused performance, 30-2A-406
- fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- promises, finance lessee — irrevocability, 30-2A-407
- transfer of rights, 30-2A-303
- unconscionable clause, enforcement, 30-2A-108

Consumer protection, 30-2A-104, 30-14-133
Containers, implied warranty of merchantability, 30-2A-212
Contracts, 30-1-201, 30-2A-103, See also **Agreement**

- acceptance in formation, 30-2A-206
- acceptance of goods, See **Acceptance**
- accessions, lessor's and lessee's rights when goods become, 30-2A-310
- alienability of party's interest, 30-2A-303

LEASES (Continued)
Contracts (Continued)

- anticipatory repudiation, 30-2A-402, 30-2A-403, 30-2A-406
- avoidance, 30-2A-221
- cancellation, See **Cancellation of contract**
- conforming goods or performance, 30-2A-103
- consumer lease payments, limitation, 30-2A-103
- creditors, special rights, 30-2A-308
- default, Title 30, chapter 2A, part 5, See **Default**
- delivery, See **Delivery**
- enforceability, 30-2A-201, 30-2A-301
- evidence, See **Evidence**
- expiration, 30-2A-103, 30-2A-310
- finance leases, 30-2A-103, 30-2A-407
- formation in general, 30-2A-204
- identification of goods, See **Identification**
- impairment of value, 30-2A-402, 30-2A-406, 30-2A-508, 30-2A-523
- indefiniteness, failure for, 30-2A-204
- injury to goods, standing to sue third parties for, 30-2A-531
- insolvency of lessor, lessee's right to goods, 30-2A-522
- installment lease contract, See **Installment lease contract**
- lapse, 30-2A-406
- "lease contract" defined, 30-2A-103
- "leasehold interest" defined, 30-2A-103, See **Leasehold interest**
- liens, priority, 30-2A-306, 30-2A-307
- modification, 30-2A-208, 30-2A-406
- offer and acceptance, 30-2A-206
- offer to enter, seals inoperative, 30-2A-203
- open terms, 30-2A-204
- performance, Title 30, chapter 2A, part 4
- plain language in, Title 30, chapter 14, part 11
- promises, irrevocability — effect, 30-2A-407
- rent, See **Rents**
- repudiation, See **Repudiation**
- restitution, lessee's right to, 30-2A-504
- rights and remedies, 30-2A-523, See also **Rights and remedies**
- risk of loss, 30-2A-219, See also **Risk of loss**
- sale of goods by lessee, 30-2A-305
- seals inoperative, 30-2A-203
- statute of frauds, 30-2A-201
- sublease of goods by lessee, 30-2A-305
- subsequent lease of goods by lessor, 30-2A-304
- supply contract, 30-2A-103, 30-2A-209
- termination, 30-2A-103, 30-2A-310, 30-2A-406, 30-2A-505
- third parties, standing to sue, 30-2A-531
- transfer of interest, 30-2A-303
- unconscionable clause, enforcement, 30-2A-108
- void when, 30-2A-308
- waiver affecting executory portion, 30-2A-208
- warranties, See **Warranties**
- writing required, 30-2A-201

Conversion, 30-2A-511, 30-2A-512, 30-2A-531
Corporate power, 35-1-115, 35-1-822, 35-1-823, 35-5-103
Counties, See **COUNTIES**
County Commissioners, Board of, See **COUNTY COMMISSIONERS, BOARD OF**
County park districts, 7-16-2401, 7-16-2423
County rodent control districts, 7-22-2209, 7-22-2216, 7-22-2223

LEASES (Continued)

County water and/or sewer districts, powers, 7-13-2217, 7-13-2218
Course of dealing, 30-1-205, 30-2A-103, 30-2A-202, 30-2A-207, 30-2A-212, 30-2A-214
Course of performance, 30-2A-202, 30-2A-207, 30-2A-214
Course of trade, special rights of creditors, 30-2A-308
Cover, substitute goods, 30-2A-518 — 30-2A-521
Creditors, 30-1-201, 30-2A-301, 30-2A-307, 30-2A-308, 30-2A-310
Credit unions, authority, 32-3-401
Damages
  consequential, 30-2A-503, 30-2A-518 — 30-2A-520
  consumer protection actions, 30-14-133
  contract cancellation or rescission, claim for antecedent default — effect, 30-2A-505
  cover, substituted goods, 30-2A-518, 30-2A-519
  default, 30-2A-505, 30-2A-519, 30-2A-528
  finance leases, 30-2A-103
  incidental, 30-2A-518 — 30-2A-520, 30-2A-523, 30-2A-527 — 30-2A-530
  lessee, 30-2A-508, 30-2A-519, 30-2A-520
  lessor, 30-2A-523, 30-2A-526 — 30-2A-529
  liquidation, 30-2A-503, 30-2A-504, 30-2A-518, 30-2A-519, 30-2A-527, 30-2A-528
  market rent, proof of, 30-2A-507
  merchant lessee's duties, rejected goods — nonapplicability, 30-2A-511
  nonacceptance, 30-2A-528, 30-2A-529
  nonconforming tender or delivery, 30-2A-519
  nondelivery, 30-2A-519
  payment, failure to pay — for, 30-2A-528
  recovery, right to, 30-2A-504
  rejection of goods, 30-2A-519
  rent, 30-2A-508, 30-2A-528
  repudiation, 30-2A-519, 30-2A-528
  revocation of acceptance of goods, 30-2A-519
  rights and remedies, modification and impairment, 30-2A-503
  right to, 30-2A-504
  specific performance, lessee's right to, 30-2A-521
  transfer of rights, 30-2A-303
  unfair trade practice actions, 30-14-133
  warranty, breach of, 30-2A-508, 30-2A-519
Default, 30-2A-501
  acceptance of goods, 30-2A-516, 30-2A-517
  accessions, lessor's and lessee's rights when goods become, 30-2A-310
  action for, statute of limitations, 30-2A-506
  agreement, of, 30-2A-309
  antecedent, claim in damages, 30-2A-505
  anticipatory repudiation, 30-2A-402
  cancellation of contract, 30-2A-103, 30-2A-505, 30-2A-508, 30-2A-523
  cover, substitute goods, 30-2A-518 — 30-2A-520
  damages, 30-2A-303, 30-2A-504, 30-2A-519, 30-2A-520, 30-2A-523, 30-2A-528, 30-2A-530, See also **Damages**
  defects, failure to state in rejecting goods, 30-2A-514
  delegation of performance, effect, 30-2A-303
  delivery, 30-2A-405, 30-2A-504, 30-2A-509, 30-2A-510, 30-2A-519, 30-2A-523
  determination, 30-2A-501
  disposal of goods, 30-2A-523, 30-2A-524, 30-2A-527 — 30-2A-529
  excused performance, 30-2A-405
  fixtures, lessor's and lessee's rights when goods become, 30-2A-309
  fraud, 30-2A-505
  identification of goods, 30-2A-218, 30-2A-523, 30-2A-524

LEASES (Continued)
Default (Continued)

- lessee's remedies, 30-2A-508
- lessor's remedies, 30-2A-523
- material misrepresentation, 30-2A-505
- nonconforming tender or delivery, 30-2A-519
- notice, 30-2A-502, 30-2A-516
- possession of goods, lessor's right to, 30-2A-525
- rent, accrued and unpaid, 30-2A-528, 30-2A-529
- rescission of contract, 30-2A-505
- residual interest, lessor's right to, 30-2A-532
- rights and remedies, 30-2A-501, 30-2A-503, 30-2A-505
- risk of loss, effect on, 30-2A-219, 30-2A-220
- termination of contract, 30-2A-505
- transfer as, 30-2A-303
- variance of provisions, 30-1-105
- waiver of default, 30-2A-303
- waiver or renunciation of claim or right, 30-1-107, 30-2A-107

Defects, 30-2A-510, 30-2A-514
Defenses, 30-2A-103, 30-2A-201, 30-2A-209
Definitions, 30-1-102, 30-1-201, 30-1-205, 30-2A-103, 30-2A-109, 30-2A-309

- account, 30-2A-103, 30-9-106
- accessions, 30-2A-103, 30-2A-310
- chattel paper, 30-2A-103, 30-9-105
- code, 30-1-101
- creation of a security interest, 30-2A-303
- entrusting, 30-2-403, 30-2A-103
- general intangibles, 30-2A-103, 30-9-106
- instrument, 30-2A-103, 30-9-105
- pursuant to commitment, 30-2A-103, 30-9-105
- sale or return, 30-2-326, 30-2A-103
- seller, 30-2-103, 30-2A-103

Delay, 30-2A-403, 30-2A-405, 30-2A-406
Delivery

- allocation, 30-2A-405, 30-2A-406
- bailee, by — stopping, 30-2A-523
- check dishonored, 30-2A-304, 30-2A-305
- creditor, security interest — lessee's knowledge of interest, 30-2A-307
- cure by lessor or supplier, 30-2A-510, 30-2A-513, 30-2A-514
- damages, 30-2A-504, 30-2A-519
- default, 30-2A-107, 30-2A-219, 30-2A-220, 30-2A-504
- delay, excuse and notice, 30-2A-405, 30-2A-406
- "entrusting" defined, 30-2-403, 30-2A-103
- excused performance, 30-2A-405, 30-2A-406
- failure to deliver, lessee's remedies, 30-2A-508
- fraud, procurement through, 30-2A-304, 30-2A-305
- future performance, nonconforming delivery — effect of acceptance, 30-2A-401
- impairment, 30-2A-510
- improper, 30-2A-509, 30-2A-513
- insolvency, 30-2A-504, 30-2A-525
- installment lease contract, 30-2A-510
- nonconforming, 30-2A-401, 30-2A-510, 30-2A-513, 30-2A-514, 30-2A-519
- nondelivery, 30-2A-405, 30-2A-406, 30-2A-508, 30-2A-516, 30-2A-519
- refusal, 30-2A-525, 30-2A-527
- rejection, right of, 30-2A-220
- risk of loss, effect of default, 30-2A-219, 30-2A-220
- sale of goods by lessee, 30-2A-305

LEASES (Continued)
Delivery (Continued)

- stopping, 30-2A-404, 30-2A-504, 30-2A-523, 30-2A-526, 30-2A-530
- sublease of goods by lessee, 30-2A-305
- subsequent lease of goods by lessor, 30-2A-304
- substituted performance, 30-2A-404
- withholding, 30-2A-404, 30-2A-504, 30-2A-523

Description of goods
- statute of frauds, 30-2A-201
- warranties, 30-2A-210, 30-2A-212, 30-2A-515

Destruction of goods, 30-2A-531
Detention centers, 7-32-2120, 7-32-2231, 7-32-2241
Detention facilities for youth, 41-5-810
Deterioration, casualty to identified goods, 30-2A-221
Detinue, lessee's right to, 30-2A-521
Development corporations, authority, 32-4-201
Dinkey engines, 50-74-104
Documents, 30-2A-103, 30-9-105
- bill of lading, notice to stop delivery — effect, 30-2A-526
- buying, 30-2A-103
- defects, 30-2A-510, 30-2A-514
- goods, exclusion, 30-2A-103
- installment lease contracts, defects, 30-2A-510
- leasing, 30-2A-103

Election polling places, unavailability due to loss of, 13-3-211
Electronic funds, satellite terminals, 32-6-203, 32-6-204
Emergency mutual aid agreement parties, by, 10-3-1115
Eminent domain, 70-30-104, 70-31-102
Encumbrances, 30-2A-103, 30-2A-309
Enforcement, 30-2A-108, 30-2A-201, 30-2A-501, 30-2A-502
Environmental impact statement required, lease applicants' fees, 75-1-202, 75-1-203
Estates and probate, See **ESTATES AND PROBATE**
Evidence
- consumer goods, consequential damages — prima facie unconscionable when, 30-2A-503
- consumer lease, accelerate at will — burden of establishing good faith, 30-2A-109
- contract enforceability, 30-2A-201
- default, burden to establish, 30-2A-516
- extrinsic, 30-2A-202, 30-2A-214
- final written expression, 30-2A-202
- oral, 30-2A-202
- parol, 30-2A-202, 30-2A-214
- rent, 30-2A-507
- return, failure to — offense of, 45-6-309
- statute of frauds, contract enforceability, 30-2A-201
- unconscionable clause, 30-2A-108
- warranties, negation or limitation, 30-2A-214
- writings, seals inoperative, 30-2A-203

Exclusions, 30-2A-214, 30-2A-216, 30-2A-503
Excuse, 30-2A-403, 30-2A-405 — 30-2A-407
Executive branch reorganization, effect, 2-15-135
Expenses
- damages, 30-2A-518 — 30-2A-520, 30-2A-523, 30-2A-527 — 30-2A-530
- inspection of goods, 30-2A-508
- rejection of goods, 30-2A-508, 30-2A-511
- revocation of acceptance of goods, 30-2A-508
- warranty, breach of — litigation, 30-2A-516

LEASES (Continued)

Expiration
  accessions, lessor's and lessee's rights when goods become, 30-2A-310
  agreement, 30-2A-309
  contract, 30-2A-103, 30-2A-310
  fixtures, lessor's and lessee's rights when goods become, 30-2A-309
Ferries and wharves, 7-14-2805, 7-14-2806
Filing
  conflict of laws, 30-1-105
  fixture filing, 30-2A-103, 30-2A-309
Finance lease, 30-2A-103
  acceptance of goods, 30-2A-516, 30-2A-517
  casualty to identified goods, 30-2A-221
  delivery, delay or nondelivery — notice, 30-2A-405, 30-2A-406
  excused performance, 30-2A-405, 30-2A-406
  infringement, warranty against, 30-2A-211
  merchantability, implied warranty, 30-2A-212
  promises by lessee, irrevocability, 30-2A-407
  risk of loss, 30-2A-219, 30-2A-220
  "supplier" defined, 30-2A-103, See **Supplier**
  supply contract, lessee as beneficiary, 30-2A-209
Financing statement, filing when goods become fixtures, 30-2A-309
Fine for failure to return, 45-6-309
Fire prevention requirements
  correction or compliance by lessee, 50-61-116
  injunction of occupancy upon violation, 50-61-118
Fish and wildlife purposes, See **FISH AND WILDLIFE**
Fitness for particular purpose, implied warranty, 30-2A-213 — 30-2A-215
Fixtures, 30-2A-103, 30-2A-309
Forcible entry and detainer and unlawful detainer, relief from forfeiture of lease when hardship, 70-27-210
Fraternal benefit societies, authority, 33-7-210
Fraud
  creditors, special rights, 30-2A-308
  delivery procured through, 30-2A-304, 30-2A-305
  material representation, rights and remedies, 30-2A-505
  possession of goods, 30-2A-302, 30-2A-308
  rights and remedies, effect on, 30-2A-505
  sale of goods by lessee, delivery, 30-2A-305
  statute of, 30-2A-201
  sublease of goods by lessee, delivery, 30-2A-305
  subsequent lease of goods by lessor, delivery, 30-2A-304
Fraudulent transfer, 30-2A-308, See also **FRAUDULENT TRANSFERS**
Fungible goods, implied warranty of merchantability, 30-2A-212
Future advances, security interest, 30-2A-307
Future performance, 30-2A-401 — 30-2A-403, 30-2A-510, See also **Performance**
Gambling
  activities, buildings for — prohibitions, 23-5-152
  devices, contracts concerning — conflict of interest, 23-5-114
  equipment, route operators, 23-5-112, 23-5-130
  licenses or permits, prohibited, 23-5-110, 23-5-159
  operators, acquisition of devices, or enterprises, 23-5-112
Geothermal development, Title 77, chapter 4, part 1
Good faith, 30-1-201, 30-2A-103
  accelerate at will, option to, 30-2A-109
  buyer, 30-2A-308

LEASES (Continued)
Good faith (Continued)

- buyer in ordinary course of business, 30-2A-103
- cover, substituted goods, 30-2A-518
- creditors, special rights, 30-2A-308
- delivery, delay or nondelivery — excuse, 30-2A-405
- disposal of goods, 30-2A-508, 30-2A-527
- lessee in ordinary course of business, 30-2A-103
- merchant lessee's duties, rejected goods, 30-2A-511
- obligation, 30-1-203
- possession, retention by lessor, 30-2A-308
- purchaser, 30-2A-511
- sale or sublease of goods by lessee, 30-2A-305
- subsequent lease of goods by lessor, 30-2A-304

Goods, 30-2A-103
- acceptance, See **Acceptance**
- accessions, when goods become, 30-2A-310
- casualty to identified goods, 30-2A-221
- certificate of title, covered by — territorial application of chapter, 30-2A-105
- conforming, 30-2A-103
- consumer, consequential damages, 30-2A-503
- conversion, 30-2A-531
- cover, 30-2A-518 — 30-2A-521
- defects, waiver of lessee's objections, 30-2A-514
- delivery, See **Delivery**
- description
  - statute of frauds, 30-2A-201
  - warranties, 30-2A-210, 30-2A-212, 30-2A-215
- destruction, 30-2A-531
- deterioration, 30-2A-221
- fixtures, when goods become, 30-2A-309
- fungible, 30-1-201, 30-2A-212
- identification occurs when, 30-2A-217, See **Identification**
- inspection, 30-2A-221, 30-2A-508, 30-2A-514, 30-2A-515, 30-2A-520
- insurable interest, 30-2A-218
- merchantable, 30-2A-212
- nonconforming, 30-2A-218, 30-2A-515 — 30-2A-517
- possession, See **Possession**
- purchasers, contract enforceability, 30-2A-301
- quantity, 30-2A-103, 30-2A-201, 30-2A-212, 30-2A-221
- recovery, 30-2A-508, 30-2A-518, 30-2A-522, 30-2A-523, 30-2A-527, 30-2A-531
- rejection, See **Rejection**
- rent, See **Rents**
- repossession, 30-2A-528, 30-2A-529
- return, rights and remedies — effect on, 30-2A-505
- sale by lessee, 30-2A-305
- salvage of unfinished, 30-2A-402, 30-2A-524
- specially manufactured or obtained, 30-2A-201
- sublease by lessee, 30-2A-305
- substitution, 30-2A-218, 30-2A-518, 30-2A-519
- title, 30-2A-302
- unfinished, salvage, 30-2A-402, 30-2A-524
- warranties, See **Warranties**

Governmental regulation, 30-2A-404, 30-2A-405
Grazing, Title 77, chapter 6
Grazing districts, Title 76, chapter 16
Hail insurance protection for leased land, 71-3-711, 80-2-204

LEASES (Continued)

Handicapped persons, telecommunications equipment, 53-19-307
Hazardous or deleterious substances, facility ownership or operation, 75-10-701
Hazardous waste management facilities, state — property for, 75-10-412
Health care facilities, 50-5-203, 50-5-411
Health Facility Authorities, authority, 90-7-202, 90-7-204, 90-7-214, 90-7-302, 90-7-304, 90-7-307
Health maintenance organizations, health care facilities, 33-31-221
Heritage properties and paleontological remains, effect of land leases, 22-3-433, 22-3-434
Highways, 60-2-208, 60-4-106, 60-5-110
Hospital districts, 7-34-2122
Housing
  accommodations, discriminatory practices, 49-2-305
  authorities
    county, 7-15-2122
    municipal, See **HOUSING AUTHORITIES, MUNICIPAL**
  board of, authority, 90-6-104
Hydroelectric power projects, See **WATER, Hydroelectric power generation**
Identification
  agreement, false identification when obtaining, 45-6-309
  casualty to identified goods, 30-2A-221
  creditors, special rights, 30-2A-308
  description of goods, statute of frauds, 30-2A-201
  finance lease, person supplying goods to lessor, 30-2A-103
  "goods" defined, 30-2A-103
  goods, when identification occurs, 30-2A-217
  injury to goods, standing to sue third parties for, 30-2A-531
  insolvency, lessor — lessee's right to goods, 30-2A-522
  insurable interest of lessee when goods identified, 30-2A-218
  lessee, 30-2A-508, 30-2A-521
  lessor's right to identify goods, 30-2A-402, 30-2A-523, 30-2A-524
  rent, lessor's action for, 30-2A-529
  risk of loss, effect of default on, 30-2A-220
  sale of goods by lessee, lessor deceived as to identity of lessee, 30-2A-305
  sublease of goods by lessee, lessor deceived as to identity, 30-2A-305
  subsequent lease of goods by lessor, transferor deceived as to identity of lessor, 30-2A-304
Impairment
  accelerate at will, option, 30-2A-109
  contract, value, 30-2A-402, 30-2A-406, 30-2A-508, 30-2A-523
  creditors, rights of, 30-2A-308
  delivery, value, 30-2A-510
  installment lease contract, value, 30-2A-510, 30-2A-523
  insurable interest, 30-2A-218
  lot or commercial unit, value, 30-2A-103, 30-2A-517
  performance, 30-2A-401
  rights and remedies, 30-2A-503, 30-2A-516
  transfers, 30-2A-303
Indemnity, 30-2A-504, 30-2A-506, 30-2A-511
Index, 7-4-2619
Industrial development projects, 90-5-102, 90-5-105, 90-5-106, 90-5-108 — 90-5-110
Infringement, 30-2A-211, 30-2A-214, 30-2A-516
Injunction, 30-2A-303
Injury
  accessions, lessor's and lessee's rights when goods become, 30-2A-310
  casualty to identified goods, 30-2A-221
  damages, 30-2A-503, 30-2A-520

LEASES (Continued)
Injury (Continued)
- deterioration of goods, 30-2A-221
- fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- risk of loss, 30-2A-218 — 30-2A-221, 30-2A-529, 30-2A-531
- third parties, standing to sue for injuries to goods, 30-2A-531
- warranties, breach — third-party beneficiaries, 30-2A-216

Insolvency
- damages, liquidation, 30-2A-504
- delivery, withholding or stopping, 30-2A-504
- identification of goods, insurable interest, 30-2A-218
- "insolvent" defined, 30-1-201
- lessee, 30-2A-525, 30-2A-526
- lessor, lessee's right to goods, 30-2A-522

Inspection
- acceptance of goods, 30-2A-515
- casualty to identified goods, 30-2A-221
- default by lessor, expenses incurred by lessee, 30-2A-508, 30-2A-520
- rejection of goods, failure to state defect — effect, 30-2A-514
- waiver of lessee's objections, 30-2A-514
- warranties, exclusion or modification when, 30-2A-214

Installment lease contract, 30-2A-103
- impairment of value, 30-2A-510, 30-2A-523
- lessee, 30-2A-508, 30-2A-509
- lessor's remedies, 30-2A-523
- performance, delay or an allocation — notice, 30-2A-406
- rejection of delivery and default, 30-2A-510

Institutions, land for, 52-1-103, 53-1-203
Instructions, rejected goods, 30-2A-511, 30-2A-512
Insurable interest, 30-2A-218, 30-2A-531
Insurance
- agreement for payment or beneficiary, 30-2A-218
- coverage, 33-1-225, 33-1-227, 33-1-228
- risk of loss, effect of default on, 30-2A-220
- title associates or producers, prohibited practices, 33-25-403

Insurers
- investments, 33-2-830, 33-2-832
- liquidators, authority, 33-2-1345

Interference, warranty against, 30-2A-211, 30-2A-214
Interlocal cooperation agreements, 7-11-108
Interpretation, 30-1-102, 30-2A-103
Irrevocability, 30-2A-205, 30-2A-407
Irrigation districts, authority, 85-7-1411, 85-7-1612, 85-7-1904, 85-7-1905, 85-7-1910, 85-7-1912, 85-7-2162
Judgments and decrees, default, 30-2A-501, 30-2A-529
Judicial forum, consumer lease — limitation on power of parties to choose, 30-2A-106
Labels and labeling, implied warranty of merchantability, 30-2A-212
Labor and Industry, Department of, 39-51-308, 39-71-202
Law enforcement mutual assistance agreements, 44-11-311
Law enforcement teletypewriter communications facilities and equipment, 44-2-302
Lease agreement, 30-2A-103, See **Agreement**
Lease contract, 30-2A-103, See **Contracts**
Leasehold interest, 30-2A-103
- attornment to stranger, 70-26-103
- buyer in ordinary course of business, 30-2A-103
- condemnation, subject to, 70-30-104
- finance lease, lessee as beneficiary of supply contract, 30-2A-209

LEASES (Continued)
Leasehold interest (Continued)

  interference, lessee's obligation against, 30-2A-211
  lessee in ordinary course of business, 30-2A-103
  sale or sublease of goods by lessee, 30-2A-305
  security interest, free of, 30-2A-307
  subsequent lease of goods by lessor, 30-2A-304
Lessee in ordinary course of business, 30-2A-103, 30-2A-304, 30-2A-307, 30-2A-310
Levy
  liens, priority arising by, 30-2A-307
  transfer of rights by, 30-2A-303
Libraries, 7-16-2321, 22-1-309
Liens, 30-2A-103
  construction liens, extent, 71-3-525
  fixtures, lessor's and lessee's rights when goods become — conflicting interest, 30-2A-309
  hail insurance liens, 71-3-711
  oil and gas wells and pipelines, laborers' and materialmen's liens on, 71-3-1002, 71-3-1004, 71-3-1008, 71-3-1009
  priority arising by, 30-2A-306, 30-2A-307
  seed and grain, crop liens for, 71-3-701
Limitation
  damages, 30-2A-503
  finance lease, remedies, 30-2A-103
  rights and remedies, 30-2A-501, 30-2A-503, 30-2A-504
  statute of limitations, 30-2A-506
  transfers, 30-2A-303
  unconscionable clause, 30-2A-108
  warranties, 30-2A-214, 30-2A-216
Limited liability companies, 35-8-107
Limited partners, liability to third parties when, 35-12-703
Lot, 30-2A-103, 30-2A-517
Market rent, See **Rents**
Merchant, 30-2A-103
  between merchants, 30-2A-103, 30-2A-208, 30-2A-401, 30-2A-514
  firm offers, 30-2A-205
  infringement, warranty against, 30-2A-211
  risk of loss, 30-2A-219
  sale or sublease of goods by lessee, 30-2A-305
  subsequent lease of goods by lessor, 30-2A-304
  warranties, See **Warranties**
Merchantability, implied warranty of, 30-2A-212, 30-2A-214
Merchant lessee, 30-2A-103, 30-2A-511
Mining, See **MINES AND MINING; STATE LANDS**
Models or samples, warranties, 30-2A-210, 30-2A-214, 30-2A-215
Modification
  agreement, of, 30-2A-406
  contract, agreement modifying, 30-2A-208
  course of performance, 30-2A-207
  excused performance, contract, 30-2A-406
  promises, irrevocable, 30-2A-407
  rights and remedies, 30-2A-503
  supply contract, lessee under finance lease as beneficiary of, 30-2A-209
  warranties, 30-2A-214, 30-2A-216
Money, 30-2A-103, 30-2A-308, 30-2A-513
Montana Agricultural Center and Museum of the Northern Great Plains, facility for, 23-1-109

LEASES (Continued)

Mortgages, 30-2A-103, 30-9-105
  construction mortgage, 30-2A-103, 30-2A-309
  "purchase" defined, 30-2A-103
Motor carriers, See **MOTOR CARRIERS**
Motorist information signs, space, 60-5-505
Motor vehicle dealers, property, 61-1-314
Natural areas, continuation of existing uses, 76-12-111
Natural gas, underground storage, Title 77, chapter 3, part 5
Nonconforming delivery, 30-2A-401, 30-2A-510, 30-2A-513, 30-2A-519
Nonconforming goods, 30-2A-218, 30-2A-515 — 30-2A-517
Nonconforming payment, 30-2A-401
Nonconforming tender, 30-2A-513, 30-2A-519
Nondelivery, 30-2A-405, 30-2A-508, 30-2A-519
Nonmetallic mineral, Title 77, chapter 3, part 2
Nonprofit corporations, authority, 35-2-118, 35-2-616, 35-2-617
Notices, 30-1-201
  acceptance, 30-2A-206
  allocation of performance, 30-2A-405, 30-2A-406
  anticipatory repudiation, 30-2A-402, 30-2A-406
  claim to person answerable over, 30-2A-516
  cure by lessor or supplier of improper tender or delivery, 30-2A-513
  default, 30-2A-502, 30-2A-516, 30-2A-519
  delivery
    cure by lessor or supplier of improper, 30-2A-513
    delay or nondelivery, 30-2A-405, 30-2A-406
    installment lease contract, cancellation, 30-2A-510
    in transit or otherwise, lessor's stoppage, 30-2A-526
  enforcement, of, 30-2A-502
  excused performance, 30-2A-405, 30-2A-406
  identification of goods, final, 30-2A-218
  infringement, litigation for, 30-2A-513
  installment lease contract, delivery — cancellation, 30-2A-510
  litigation to person answerable over, 30-2A-516
  offer and acceptance in formation of contract, 30-2A-206
  reentry, right of, 70-16-401, 70-27-106
  rejection of goods, 30-2A-509, 30-2A-512
  rent, prevailing, 30-2A-507
  repairs, to lessor, 70-26-203
  repudiation, 30-2A-201, 30-2A-402, 30-2A-406
  return of property, 45-6-309
  revocation of acceptance of goods, 30-2A-517
  supply contract, finance lease — to supplier, 30-2A-209
  tender, nonconforming — substitution of conforming, 30-2A-513
  termination of lease, 70-26-205
  terms of lease, change, 70-26-109
  waiver affecting executory portion of contract, retraction, 30-2A-208
Obligations
  accessions, lessor's and lessee's rights when goods become, 30-2A-310
  conforming goods or performance, 30-2A-103
  construction mortgage, 30-2A-309
  contract, 30-2A-103, 30-2A-209, 30-2A-401, 30-2A-503, 30-2A-505
  infringement, lessee's obligation against, 30-2A-516
  insurance, 30-2A-218
  performance, 30-2A-103, 30-2A-303, 30-2A-404
  rejected goods, 30-2A-512

LEASES (Continued)
Obligations (Continued)

- subordinated, 30-1-209
- supply contract, 30-2A-209

Offers
- contract, 30-2A-203, 30-2A-206
- goods, firm offer to lease, 30-2A-205
- performance, assurance, 30-2A-401
- rent, prevailing, 30-2A-507
- revocation, 30-2A-205

Options
- accelerate at will, 30-2A-109
- allocation of production and deliveries, 30-2A-405
- casualty to identified goods, upon, 30-2A-221
- consumer lease, to renew or buy, 30-2A-103
- contract, to renew or buy, 30-2A-201
- identifiable goods, insurable interest until option to buy exercised, 30-2A-218
- remedies, 30-2A-503

Oil and gas, See **OIL AND GAS; STATE LANDS**
Open-space lands, 76-6-108
Oral agreement, 30-2A-202
Outfitters and guides, equipment and facilities, 37-47-302, 37-47-304
Packages and packaging, implied warranty of merchantability, 30-2A-212
Park Commissioners, Boards of, See **PARKS, County Board of Park Commissioners; Municipal Board of Park Commissioners**
Parking
- areas or facilities, 7-12-4243, 7-14-4501, 7-14-4511, 7-14-4731, 7-14-4733
- commissions, See **PARKING COMMISSIONS**

Parks, property for, 7-12-4102, 23-1-102
Parol evidence, 30-2A-202, 30-2A-214, See also **Evidence**
Partnerships, 35-10-102
Pawnbrokers, nonapplicability of provisions, 30-2A-103
Payment
- accelerate at will, option to, 30-2A-109
- consumer lease, 30-2A-103
- default, damages, 30-2A-303, 30-2A-504, 30-2A-521, 30-2A-529
- enforcement of contract, statute of frauds, 30-2A-201
- failure to pay, 30-2A-523, 30-2A-526, 30-2A-528
- governmental regulation, failure due to, 30-2A-404
- insurance, 30-2A-218
- lien to secure, 30-2A-103
- nonconforming, acceptance — effect on future performance, 30-2A-401
- rent, 30-2A-221, 30-2A-406, 30-2A-514, 30-2A-516, 30-2A-521, 30-2A-529
- specific performance, 30-2A-521
- substituted performance, 30-2A-404

Performance
- accelerate at will, option to, 30-2A-109
- acceptance as beginning, 30-2A-206
- anticipatory repudiation, 30-2A-402
- assurance, 30-2A-401 — 30-2A-403
- cancellation of contract, effect, 30-2A-505
- "conforming" defined, 30-2A-103
- course of performance, 30-2A-202, 30-2A-207, 30-2A-214
- delegation, 30-2A-303
- delivery, See **Delivery**
- excused performance, 30-2A-405, 30-2A-406

LEASES (Continued)
Performance (Continued)

- forcible entry and detainer and unlawful detainer, relief from forfeiture of lease when hardship, 70-27-210
- future performance, 30-2A-401 — 30-2A-403, 30-2A-510
- insecurity, 30-2A-401
- objections, 30-2A-207
- specific performance, lessee's right, 30-2A-508, 30-2A-521
- substituted performance, 30-2A-404, 30-2A-405
- suspension, 30-2A-401, 30-2A-402
- tender, improper — cure by lessor or supplier, 30-2A-513
- termination of contract, effect, 30-2A-505
- terms waived, strict performance, 30-2A-208
- transfer of rights, 30-2A-303

Personal solicitation sale, as, 30-14-502, See **SALES**
Pesticide applicators, farm or public utility, 80-8-102, 80-8-209
Pipeline carriers, 69-13-101
Pleadings, statute of frauds — contract enforceability, 30-2A-201
Port authorities, 7-14-1105, 7-14-1111, 7-14-1125, 7-14-1126
Possession

- creditors, special rights, 30-2A-308
- delivery in transit or otherwise, lessor's stoppage, 30-2A-526
- entrusting, 30-2-403, 30-2A-103
- fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- goods, 30-2A-302
- judgment for damages, lessee's possession following, 30-2A-529
- lessee, 30-2A-103, 30-2A-309, 30-2A-508, 30-2A-528
- lessor's right to, 30-2A-103, 30-2A-523 — 30-2A-525, 30-2A-527
- liens, priority arising by operation of law, 30-2A-306
- merchant lessee, rejected goods, 30-2A-511
- reentry, action for possession under right of, 70-16-402, 70-27-107
- rejection of goods, 30-2A-511, 30-2A-512
- renewal by continued possession, 70-26-204, 70-26-205
- repossession, 30-2A-528, 30-2A-529
- retention, special rights of creditors, 30-2A-308
- risk of loss, 30-2A-219
- sublease, 30-2A-103
- transfer of right, 30-2A-103, 30-2A-303
- withholding delivery by lessor, 30-2A-523

Power of attorney, statutory — authority, 72-31-223 — 72-31-225, 72-31-233
Power site, Title 77, chapter 4, part 2
Premarital agreements, rights of parties, 40-2-605
Principal and income, determination, 72-34-404, 72-34-410, 72-34-412
Priority

- fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- liens, arising by, 30-2A-306, 30-2A-307
- subordination by agreement, 30-2A-311

Production, allocation, 30-2A-405, 30-2A-406
Promises, 30-2A-210, 30-2A-212, 30-2A-303, 30-2A-407, 30-2A-503
Property, real

- assignees, remedies and rights, 70-26-105, 70-26-106
- conveyance, transferee's rights, 70-26-102
- default procedure, 30-2A-501
- fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- life, lease for, 70-26-107
- recording, effect, 7-4-2613, 7-4-2619, 7-4-2631, 70-21-304
- reentry, accrual of right, 70-16-401, 70-16-402, 70-27-106, 70-27-107

LEASES (Continued)

Prostitution, promoting — offense of, 45-5-602
Public markets, 7-21-3302
Purchase, 30-1-201, 30-2A-103, 30-2A-304, 30-2A-518, 30-2A-519
Purchase money lease, 30-2A-103, 30-2A-309
Purchaser, 30-2A-301, 30-2A-511
Quantity of goods, 30-2A-103, 30-2A-201, 30-2A-212, 30-2A-221
Race to the courthouse, 70-21-304
Rail authorities, operation and use of facilities, 7-14-1635
Railroads, 60-11-1202, 69-14-513, 69-14-514, 69-14-932, 69-14-1101
Real estate brokers and salespersons, Title 37, chapter 51
Reasonable time, 30-1-204
Receipt, 30-2A-103, 30-2A-219, 30-2A-508, 30-2A-520, 30-2A-526
Recording, effect, 7-4-2613, 7-4-2619, 7-4-2631, 70-21-304
Recovery
    damages, 30-2A-503, 30-2A-504, 30-2A-508, 30-2A-518, 30-2A-523, 30-2A-527 — 30-2A-529
    goods, 30-2A-508, 30-2A-518, 30-2A-522, 30-2A-523, 30-2A-527, 30-2A-531
    rent and security, 30-2A-508, 30-2A-514, 70-26-102, 70-26-107
    residual interest, lessor's right to, 30-2A-532
    unconscionability actions, attorney's fees, 30-2A-108
Reentry, accrual of right, 70-16-401, 70-16-402, 70-27-106, 70-27-107
Regents of Higher Education, Board of — authority, 20-25-441
Reimbursement, 30-2A-309, 30-2A-310, 30-2A-511, 30-2A-512
Rejection
    acceptance of goods, lessee, 30-2A-515 — 30-2A-517, 30-2A-519
    damages, lessee, 30-2A-519, 30-2A-520
    defects, waiver of lessee's objections, 30-2A-514
    delivery, 30-2A-220, 30-2A-510, 30-2A-513, 30-2A-514
    disposal of goods, lessor's rights, 30-2A-527
    instructions, rejected goods, 30-2A-511, 30-2A-512
    merchant lessee's duties, rightfully rejected goods, 30-2A-511
    notice, 30-2A-511, 30-2A-512
    remedies, 30-2A-508, 30-2A-523
    rightful rejection by lessee, 30-2A-508, 30-2A-509, 30-2A-512, 30-2A-516, 30-2A-527
    rights and remedies, effect on, 30-2A-505
    risk of loss, effect of default on, 30-2A-220
    tender, nonconforming — cure by lessor or supplier, 30-2A-513, 30-2A-514
    waiver of objections, lessee, 30-2A-514
Religious corporations sole, authority, 35-3-205
Remedies, See **Rights and remedies**
Renewal, 70-26-204, 70-26-205
Rents
    acceptance of goods, 30-2A-516, 30-2A-519
    action for, by lessor, 30-2A-529
    casualty to identified goods, 30-2A-221
    cover, substituted goods, 30-2A-518
    damages, 30-2A-504, 30-2A-508
    default, lessee's or lessor's remedies, 30-2A-508, 30-2A-523, 30-2A-528, 30-2A-529
    delivery in transit or otherwise, stoppage by lessor, 30-2A-526
    disposal of goods, lessor's right to, 30-2A-527
    forcible entry and detainer and unlawful detainer, relief from forfeiture of lease when hardship, 70-27-210
    insolvency, lessor's — lessee's rights to goods, 30-2A-522
    life, lease for, 70-26-107
    market rent, 30-2A-507, 30-2A-519, 30-2A-528
    payment, lessee's failure to reserve rights — effect, 30-2A-514

LEASES (Continued)
Rents (Continued)

remedies, 30-2A-508, 30-2A-523, 70-26-102
specific performance, lessee's right to, 30-2A-521
substitution of goods, excused performance, 30-2A-406
Repairs, failure of lessor, 70-26-203
Replacement of fixtures, 30-2A-309
Replevin, lessee's right to, 30-2A-508, 30-2A-521, See also **Recovery**
Repossession of goods, 30-2A-528, 30-2A-529
Repudiation
anticipatory, 30-2A-402, 30-2A-403, 30-2A-406
damages, 30-2A-519, 30-2A-528
lessee, 30-2A-508, 30-2A-519
lessor, 30-2A-523, 30-2A-526
notice, goods specially manufactured or obtained for lessee — contract enforceability when, 30-2A-201
performance, assurance not provided after receipt of demand, 30-2A-401
promises, irrevocable, 30-2A-407
retraction, anticipatory repudiation, 30-2A-402, 30-2A-403
risk of loss, effect of default on, 30-2A-220
Rescission
agreement, 30-2A-208
contract, 30-2A-221, 30-2A-505
supply contract, lessee under finance lease as beneficiary, 30-2A-209
Residential, See **LANDLORD AND TENANT**
Residual interest, lessor's, 30-2A-103, 30-2A-303, 30-2A-309, 30-2A-504, 30-2A-532
Retail installment contract, as, 31-1-202
Retraction, 30-2A-208, 30-2A-402, 30-2A-403
Returns
damages, incidental — lessor, 30-2A-530
failure to return, offense of, 45-6-309
rights and remedies, effect on, 30-2A-505
sale or return, 30-2-326, 30-2A-103
Revocation
acceptance of goods, 30-2A-220, 30-2A-508, 30-2A-516, 30-2A-517, 30-2A-519, 30-2A-520, 30-2A-527
firm offers, irrevocability, 30-2A-205
lessee, 30-2A-407, 30-2A-508
lessor's remedies, 30-2A-523
promises by finance lessee, irrevocability, 30-2A-407
risk of loss, effect of default on, 30-2A-220
Rights and remedies, 30-1-201
acceptance of goods, effect, 30-2A-516
accessions, when goods become — lessor and lessee, 30-2A-310
actions for default, breach of warranty, or indemnity, 30-2A-506
alienability, 30-2A-303
anticipatory repudiation, 30-2A-402
assignees, 70-26-105, 70-26-106
barred when, 30-2A-516
cancellation of contract, 30-2A-505, 30-2A-508, 30-2A-523
cancellation of lease, 30-2A-508
casualty to identified goods, 30-2A-221
contracts, indefiniteness, 30-2A-204
creditors, special rights, 30-2A-308
cumulative, 30-2A-501
damages, recovery, 30-2A-504, See **Damages**
default, 30-2A-501

LEASES (Continued)
Rights and remedies (Continued)

- disposal of goods by lessor, 30-2A-527
- exclusive, 30-2A-503, 30-2A-504
- finance leases, 30-2A-103
- fixtures, when goods become — lessor and lessee, 30-2A-309
- fraud, 30-2A-505
- future performance, demand for assurance, 30-2A-401
- identification of goods by lessor, 30-2A-402, 30-2A-524
- impairment, 30-2A-503, 30-2A-516
- insolvency, right to goods or to possession of goods, 30-2A-522, 30-2A-525
- lessee, 30-2A-508, 30-2A-509, 30-2A-514, 30-2A-522
- lessor, 30-2A-503, 30-2A-526
- liberal administration, 30-1-106
- life, lease for — rent, 70-26-107
- limited, 30-2A-503, 30-2A-504
- material misrepresentation, 30-2A-505
- modification, 30-2A-503
- possession of goods, lessor, 30-2A-525, 30-2A-526
- reentry, 70-16-401, 70-16-402, 70-27-106, 70-27-107
- rejection, 30-2A-220
- rejection or return of goods, 30-2A-505
- repairs, failure of lessor, 70-26-203
- replevin, lessee's right to, 30-2A-521
- repudiating party, reinstatement by retraction, 30-2A-403
- rescission, effect, 30-2A-505
- residual interest, lessor's right to, 30-2A-532
- restitution, lessee's right — liquidation of damages, 30-2A-504
- revocation of acceptance of goods, 30-2A-517
- specific performance, lessee's right to, 30-2A-521
- substitution of goods, excused performance, 30-2A-406
- termination of contract, effect, 30-2A-505
- transfer of rights, 30-2A-303, 70-26-102
- waiver after default, 30-1-107, 30-2A-107
- warranty exclusion, modification, or limitation, 30-2A-216
- withholding of goods, lessor, 30-2A-526

Risk of loss, 30-2A-218 — 30-2A-221, 30-2A-529, 30-2A-531
Rural special improvement district property, 7-12-2110
Sales, 30-2-106, 30-2A-103
- buyer in ordinary course of business, 30-2A-103
- contract, enforceability, 30-2A-201
- creditors, special rights, 30-2A-308
- disposal of goods by lessor, 30-2A-524, 30-2A-527
- excused performance, 30-2A-405
- goods, by lessee, 30-2A-305
- lessor's damages, 30-2A-528
- merchant lessee's duties, rejected goods, 30-2A-511
- purchase, 30-2A-103
- subsequent lease of goods by lessor, 30-2A-304
- transfer of rights by, 30-2A-303

Salvage of unfinished goods, 30-2A-402, 30-2A-524
Samples or models, warranties, 30-2A-210, 30-2A-214, 30-2A-215
School districts, by, See **SCHOOLS, Property; Sites and facilities**
Scrap value, unfinished goods, 30-2A-524
Seals inoperative, 30-2A-203
Seasonably, 30-1-204
Securities, 30-10-103, 30-10-104, 30-10-203

LEASES (Continued)

Security
  accessions, lessor's and lessee's rights when goods become, 30-2A-310
  buying, nonapplicability, 30-2A-103
  creditors, special rights, 30-2A-308
  delivery in transit or otherwise, lessor's stoppage, 30-2A-526
  fixtures, lessor's and lessee's rights when goods become, 30-2A-309
  insolvency of lessor, lessee's rights to goods, 30-2A-522
  leasing, nonapplicability, 30-2A-103
  lessee's remedies, 30-2A-508
Security interest, 30-1-201, See also **SECURED TRANSACTIONS**
  accessions, lessor's and lessee's rights when goods become, 30-2A-310
  applicability of laws, 30-9-102, 30-9-113
  buyer in ordinary course of business, 30-2A-103
  creditors, 30-2A-307
  default by lessor, lessee's remedies, 30-2A-508
  disposal of goods, lessor's right to, 30-2A-527
  fixtures, lessor's and lessee's rights when goods become, 30-2A-309
  injuries to goods, standing to sue third parties for, 30-2A-531
  lease, 30-2A-103
  leasehold interest free of, 30-2A-307
  lessee in ordinary course of business, 30-2A-103
  liens, 30-2A-103, 30-2A-307
  purchase, 30-2A-103
  rejected goods, 30-2A-511, 30-2A-512
  transfer of rights, 30-2A-303
Septage disposal by lessees of property, 37-41-105
Sequestration, lessee's right to, 30-2A-521
Shelter care facilities, 41-5-802, 41-5-810
Shipment, 30-2A-217, 30-2A-219, 30-2A-512, 30-2A-522, 30-2A-526
Short titles, 30-1-101, 30-2A-101
Signatures
  agreement, 30-2A-208
  contract, 30-2A-103, 30-2A-201
  firm offers, 30-2A-205
  waiver or renunciation of claim or right after default, 30-2A-107
Snowmobile races on private land, lessee permission, 23-2-634
Solid waste management
  lessees of land, disposal of wastes, 75-10-214
  systems, 75-10-112
Special improvement district property, 7-12-4111, 7-12-4228
State, See **PUBLIC CONTRACTS, Lease of buildings; Procurement, state; STATE GOVERNMENT, Motor vehicles**, generally; **Property; STATE LANDS**
State-tribal cooperative agreements, 18-11-109
Statute of frauds, 30-2A-201
Statute of limitations, 30-2A-506
Subdivision provisions, Title 76, chapters 3 and 4, See **SUBDIVISIONS, Lease or rental**
Sublease, 30-2A-103, 30-2A-303, 30-2A-305
Sublessee in ordinary course of business, sale or sublease of goods by lessee, 30-2A-305
Subletting by tenant, 70-26-103
Subordinated obligation, 30-1-209
Subordination, 30-2A-309 — 30-2A-311
Subsequent lease, 30-2A-105, 30-2A-304
Substitution
  cover, substitute goods, 30-2A-518 — 30-2A-521
  excused performance, goods, 30-2A-406

LEASES (Continued)
Substitution (Continued)

  identifiable goods, insurable interest, 30-2A-218
  performance, 30-2A-404, 30-2A-405
  promises, irrevocable, 30-2A-407
  rights and remedies, modification or impairment, 30-2A-503
  tender, nonconforming — conforming, 30-2A-513
Supplier, 30-2A-103
  casualty to identified goods, 30-2A-221
  default after acceptance, 30-2A-516
  delivery, 30-2A-404, 30-2A-405, 30-2A-510, 30-2A-513
  identify goods, lessor's right to, 30-2A-524
  infringement, warranty against, 30-2A-211
  notice of litigation to person answerable over, 30-2A-516
  rejected goods, 30-2A-511, 30-2A-512
  risk of loss, 30-2A-219, 30-2A-220
  substituted performance, 30-2A-404
  tender, improper — cure by lessor or supplier, 30-2A-513
  warranty, breach of — notice of litigation to person answerable over, 30-2A-516
Supply contract, 30-2A-103, 30-2A-209
Taxation
  benefits, diminution of anticipated — liquidation of damages, 30-2A-504
  effect on, See **TAXATION, PROPERTY**
Telecommunications
  handicapped, equipment for, 53-19-307
  services, alternative services and providers, 69-3-808
Television districts, powers, 7-13-2510
Tender
  acceptance of goods, default — effect, 30-2A-516
  damages, lessor, 30-2A-528
  improper, cure by lessor, 30-2A-513
  insolvency of lessor, lessee's right to goods, 30-2A-522
  market rent, determination, 30-2A-519
  nonconforming, 30-2A-513, 30-2A-519
  rejection, 30-2A-509, 30-2A-513
  rent, lessor's action, 30-2A-529
  risk of loss, 30-2A-219, 30-2A-220
  substitute performance, 30-2A-404
  substitution, 30-2A-513
Termination
  actions for default, breach of warranty, or indemnity, 30-2A-506
  fixtures, when goods become — lessee's right to remove goods, 30-2A-309
Termination of agreement, 30-2A-309
Termination of contract, 30-2A-103, 30-2A-310, 30-2A-406, 30-2A-505
Termination of irrevocable promises, 30-2A-407
Termination of lease, notice, 70-26-205
Term of lease
  casualty to identified goods, 30-2A-221
  city lot, 70-26-110
  commercial, when none specified, 70-26-201
  cover, substitute goods, 30-2A-518
  damages, 30-2A-504, 30-2A-519, 30-2A-528
  disposal of goods, lessor's right, 30-2A-527
  excused performance, 30-2A-406
  "lease" defined, 30-2A-103
  market rent, proof of, 30-2A-507
  property, real — nonperformance, rights of transferee, 70-26-102

LEASES (Continued)
Term of lease (Continued)
- rent, lessor's action for, 30-2A-529
- statute of frauds, contract enforceability, 30-2A-201
- warranties against interference and infringement, 30-2A-211

Terms of lease, change — notice, 70-26-109
Theft, 30-2A-304, 30-2A-305
Third parties, 30-2A-103, 30-2A-209, 30-2A-216, 30-2A-302, 30-2A-407, 30-2A-531
Timeshares, 37-53-303, 37-53-305, 37-53-307
Title
- certificate of title, 30-2A-104, 30-2A-105, 30-2A-304, 30-2A-305
- fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- goods, 30-2A-302
- subsequent lease of goods by lessor, voidable title — transfer, 30-2A-304

Transfer
- creditors, fraudulent transfers — special rights, 30-2A-308
- lessor's residual interest in goods, 30-2A-303
- rights, 30-2A-303
- sale of goods by lessee, 30-2A-305
- sublease of goods by lessee, 30-2A-305
- subsequent lease of goods by lessor, 30-2A-304
- voidable, 30-2A-304, 30-2A-305

Transportation
- default by lessor, expenses incurred by lessee, 30-2A-508, 30-2A-520
- stopping, lessor's incidental damages, 30-2A-530

Trust property, 72-34-321, 72-34-322
Unborn young of animals as goods, 30-2A-103, 30-2A-217
Unconscionable clause, enforcement, 30-2A-108
Unconscionable remedies or damages, 30-2A-503
Unfair trade practices, 30-14-133
University of Montana football stadium, land or land and facilities for, 20-25-441
Urban renewal property, See **URBAN RENEWAL, Property**, generally
Usage of trade, 30-1-205, 30-2A-103, 30-2A-207, 30-2A-212, 30-2A-214, 30-2A-507
Utilities, lessee of property — exemption from regulation, 69-3-111
Utilities, rural cooperative — power, 35-18-106, 35-18-317
Variance of provisions by agreement, 30-1-102, 30-1-105
Vending facilities for blind or visually handicapped persons, 18-5-402, 18-5-404, 18-5-411, 18-5-415
Vocational-technical centers, buildings or land, 20-16-108
Waiver
- claim or right, 30-1-107, 30-2A-107
- contract, executory portion — retraction of waiver affecting, 30-2A-208
- course of performance, 30-2A-207
- default, 30-2A-303
- modification or rescission, attempt at, 30-2A-208
- objections of lessee, 30-2A-514
- rights, waiver of lessee's objections, 30-2A-514

Warranties
- affirmation of fact, 30-2A-210, 30-2A-212
- breach
  - action for, statute of limitations, 30-2A-506
  - accepted goods, damages, 30-2A-519
  - lessee
    - damages from lessor's default, 30-2A-520
    - remedies, 30-2A-508
  - litigation, 30-2A-516
  - personal injury, 30-2A-216, 30-2A-520

LEASES (Continued)
Warranties (Continued)
  breach (Continued)
    waiver of claim or right, 30-1-107, 30-2A-107
  conflict, 30-2A-215
  construction, 30-2A-215
  cumulation, 30-2A-215
  description of goods, 30-2A-210, 30-2A-315
  disclaimers, 30-2A-103, 30-2A-214
  dominance, 30-2A-315
  entitlement, lessee, 30-2A-103
  exclusion, 30-2A-214, 30-2A-216
  express, creation, 30-2A-210, 30-2A-214
  finance leases, 30-2A-103, 30-2A-209
  fitness for particular purpose, 30-2A-213 — 30-2A-215
  implied, 30-2A-212 — 30-2A-215
  infringement, 30-2A-211, 30-2A-214
  intention of parties, 30-2A-215
  interference, 30-2A-211, 30-2A-214
  limitation, 30-2A-214, 30-2A-216
  merchantability, 30-2A-212, 30-2A-214
  model, conformance to, 30-2A-210, 30-2A-214, 30-2A-215
  modification, 30-2A-214, 30-2A-216
  negation, 30-2A-214
  opinion, 30-2A-210
  personal injury, 30-2A-216, 30-2A-520
  promise, 30-2A-210, 30-2A-212
  sample, conformance to, 30-2A-210, 30-2A-214, 30-2A-215
  third-party beneficiaries, 30-2A-209, 30-2A-216
Water, See **WATER, Hydroelectric power generation**; **Lease of water**; **Leasing program**
Water conservancy district directors, authority, 85-9-405, 85-9-632
Water quality district equipment, 7-13-4517
Water quality, point source — owner or operator, 75-5-103
Water wells or monitoring wells, drilling by lessees of land, 37-43-302
Youth detention or shelter care facilities, 41-5-810

LEGISLATIVE AUDIT
Citation of Legislative Audit Act, 5-13-101
Committee
  agency or program review, 2-8-105, 2-8-112, 2-8-113
  appointment of members, 5-13-202
  audits
    copies of reports and notification of special audits, 5-13-304
    housing, board of — requests, 90-6-124
    science and technology development, board of — determination of necessity, 90-3-304
  compensation and expenses of members, 5-13-203
  composition, 5-13-202
  establishment, 5-13-201; Const., V, 10
  legislative auditor, appointment and salary, 5-13-302
  lottery, state — security invasion techniques, reports to, 23-7-412
  meetings, 5-13-203
  officers, 5-13-202
  operational plan approved by, 5-13-403
  term of membership and vacancies, 5-13-202
Definitions, 5-13-102, 5-13-401
Legislative auditor, See also generally **PUBLIC OFFICERS OR EMPLOYEES**
  abuse of funds or property, written notification, 5-13-309

LEGISLATIVE AUDIT (Continued)
Legislative auditor (Continued)

- appointment, 5-13-302
- attorney general, reports by, 44-12-206, 44-13-103
- audits
  - chiropractic legal panel and fund, 27-12-207
  - community college districts, 20-15-229
  - contracts for, 5-13-411
  - costs, 5-13-307, 5-13-402, 17-7-141
  - definitions, 5-13-401
  - group benefit plans, 2-18-816
  - health facility authority, 90-7-121
  - housing, board of, 90-6-124
  - judicial standards commission, 3-1-1122, 3-1-1125
  - justice, department of — investigative authority, 44-2-115
  - lottery, state, 23-7-410 — 23-7-412
  - medical legal panel or fund, 27-6-206, 27-6-207
  - prison industries training program, programs, 53-30-133
  - school-related organizations, 2-7-509
  - science and technology development, board of, 90-3-304
  - special audits, 5-13-304
  - standards and objectives, 5-13-308
  - state agencies, time, 5-13-304
  - state special revenue fund account, 5-13-403
  - workers' compensation state fund, 39-71-2361, 39-71-2362
- bank and trust company reports to department of commerce, availability, 32-1-234
- claims by state agencies for disbursements, postaudit, 17-8-202
- computer system planning council, legislative branch — member, 5-11-402
- contracts for services, approval, 5-13-411
- corporation income tax data provided to, 15-31-511
- data and information technology resources — internal policies, procedures, and evaluations available to, 2-15-114
- duties and powers, 5-13-304
- employment preference, Title 39, chapter 30
- energy supply information, access to, 90-4-305
- examination of books and records, authority, 5-13-309
- financial reports of state agencies distributed to, 17-2-110
- fish and game license agents, inspection of accounts, 87-2-903
- gasohol, state vehicles — purchase records reviewed by, 2-17-414
- information furnished to, 5-13-309
- investments, board of, 17-5-1529, 17-5-1649, 17-6-321
- legal counsel, 5-13-305
- committee, advice and consultations, 5-13-203
- legislature, assistance, 5-13-306
- licensing, professional and occupational — investigation and review, access to records, 37-1-135
- lottery, state
  - audits, 23-7-410 — 23-7-412
  - commission, reports by, 23-7-202
  - drawings for prizes, witness for and examination of equipment, 23-7-311
  - ticket or chance sales agents, inspection of records and accounts, 23-7-301
  - tickets or chances, sale to or purchase by employees prohibited, 23-7-110, 23-7-302
  - violations reported to, 23-7-212
- office, establishment, 5-13-301
- paddlefish roe as caviar, donation and sale program — records, availability, 87-4-601
- performance audits, 2-8-111, 2-17-302
- public contracts, nonstate entities — access to records, 18-1-118

LEGISLATIVE AUDIT (Continued)
Legislative auditor (Continued)

- qualifications, 5-13-302
- recommendations by, 5-13-307
- removal procedures, 5-13-303
- reports, 5-13-307
- revenue oversight committee, assistance, 5-18-107
- salary, 5-13-302
- staff and consultants, 5-13-305
- state records committee, representation on, 2-15-1013
- surety bond amount for state officers and employees, consultations, 2-9-602
- term of office, 5-13-303
- university system optional retirement program, past service liability of members — determination, 19-21-111
- workers' compensation state fund, 39-71-2314, 39-71-2351, 39-71-2362

Privatization of state programs, duties, 2-8-302, 2-8-304
Purpose of Legislative Audit Act, 5-13-101

LEGISLATIVE BRANCH
Appropriations, See also **APPROPRIATIONS**
- general fund spending reductions, 17-7-140
- supplemental, 17-7-305

Audit costs and contracts, Title 5, chapter 13, part 4
Budget provisions, 17-7-102, 17-7-111, 17-7-122, See **BUDGET AND BUDGETING**
Canadian Provinces Boundary Advisory Committee, Montana-Western — membership, 1-13-111
Computer system planning
- council, 5-11-402 — 5-11-404
- purpose, 5-11-401
- standards, 5-11-403 — 5-11-406

Constitutional provisions, Const., V
Gasohol, state vehicles — use requirements, 2-17-414
Group benefits for employees, 2-18-701, 2-18-809
Handicapped persons, employment preference, Title 39, chapter 30
Printing provisions, 18-7-302, See **PUBLIC CONTRACTS, Printing**
State employee classification and compensation plans, 2-18-103
Statutory provisions, Title 5
Workers' compensation, data base system — information collection, 39-71-225

LEGISLATIVE CONSUMER COMMITTEE
See also **CONSUMER COUNSEL**
Appointment of members, 5-15-101
- ineligibility, 5-15-102

Compensation of members, 69-1-212
Composition, 5-15-101
Consumer counsel, See also **CONSUMER COUNSEL**
- appointment and salary, 5-15-201
- legislation, recommendation for, 69-1-222
- staff, approval, 69-1-221

Defined, 69-1-201
Energy emergencies, advice to governor, 90-4-306
Legislation, recommendations for, 69-1-222
Meetings, 69-1-211
Officers, 5-15-105
Regulated companies, See **CONSUMER COUNSEL**
Term of office, 5-15-103
Vacancies, how filled, 5-15-104

LEGISLATIVE COUNCIL
Administrative Code Committee, staff assistance, 2-4-401
Administrative rules and register, copies distributed to, 2-4-313
Administration, Department of — state buildings development, consultation on master plan, 5-11-115
Appointment to, 5-11-101, 5-11-102
Ballot issues
  certified copy to when approved, 13-27-504
  petition form, 13-27-201
  review, 13-27-202
Bills, publication and distribution, See **Proceedings**
Boundary Advisory Committee, Montana-Western Canadian Provinces — appointments to and support, 1-13-103, 1-13-111
Code commissioner, See also **LAW**
  office created, 1-11-201
  report by, 1-11-204
  supervision, 1-11-203
Committees, legislative
  duties regarding, 5-11-105 — 5-11-107, 5-11-111
  hearings, 5-11-107
  investigative authority, 5-11-106
  reports and recommendations, 5-11-105, 5-11-111
  staff and services for, 5-5-214, 5-11-112, 5-18-107
  studies assigned to, 5-5-217, 5-11-105
Composition, 5-11-101
Computer System Planning Council, Legislative Branch
  member and chairman, 5-11-402
  staff support, 5-11-404
Council of State Governments, member of, 5-11-301, 5-11-302
Divisions, 5-11-112
Duties, 5-11-105
  investigative authority, 5-11-106
Employment preference, 39-30-103, See **LABOR AND EMPLOYMENT, Preference to handicapped persons**
Establishment, Const., V, 10
Executive director, 5-11-111
  computer system planning council, legislative branch, 5-11-402, 5-11-404
  proceedings, fees and exemptions, 5-11-212, 5-11-213
  reports to legislature, procedures, 5-11-210
Governor, transmittal of veto messages, 5-4-308
Hearings, authority for, 5-11-107, 5-19-107
Historical Society, capitol building artwork — consultation on placement, 5-11-115
Indian Affairs, Committee on — investigative authority and staff assistance, 5-19-107
Interim studies
  designation, 5-5-216, 5-5-217
  selection and assignment, 5-5-217
Interim subcommittees, See **Committees, legislative**
Interns, legislative, See also **LEGISLATURE, Interns**
  assignment to legislator, 5-6-107
  guidelines for, 5-6-108
  selection, 5-6-104
Interstate cooperation, authority and responsibility, 5-11-301, 5-11-302
Investigative authority, 5-11-106, 5-19-107
Investments, Board of — report by, 17-5-1650

LEGISLATIVE COUNCIL (Continued)

Journals, See also **Proceedings**
  authentication, 5-11-201
  distribution, 5-11-203, 22-1-218
  expenses, payment, 5-11-208
  indexes, 5-11-202
  printing, 5-11-202, 18-7-101, 18-7-107, See also **PUBLIC CONTRACTS, Printing**
Laws of Montana, See **LAW, Session laws**
Legislators, mileage reimbursement claims and remuneration for services performed requests, 5-2-301
Legislature, space for — advice, 2-17-101
Meetings, 5-11-104
Members
  appointment, 5-11-101, 5-11-102
  term, 5-11-102
Montana Code Annotated, publication, See **LAW**
Oaths, authority to administer, 5-11-107
Officers and organization, 5-11-104
Pacific Northwest economic region, policy committees — appointments, 5-11-301, 5-11-703
Powers, 5-11-105
  investigative authority, 5-11-106
Proceedings
  legislative, See also **Journals; LAW, Session laws; LEGISLATURE, Journals**
    definitions, 5-11-211
    distribution, 5-11-212
    fees, 5-11-212
      exemptions, 5-11-213, 5-11-214
  1972 constitutional convention, disposition and distribution, 5-11-221
Publications
  bills and resolutions, See **Proceedings**
  distribution exempt from state publications library distribution center regulations, 22-1-218
  journals, See **Journals**
  proceedings, legislative, See **Proceedings**
  session laws, See **LAW, Session laws**
Public Employees' Retirement System provisions, applicability to employees, 19-3-412
Reapportionment Commission, staff and services for, 5-1-106
Recodification, See **LAW**
Records, 5-11-104
Reports to legislature, procedures, 5-11-210
Research agencies, employment, 5-11-111
Resolutions, publication and distribution, See **Proceedings; LAW, Session laws**
Rules of procedure, 5-11-104
Session laws, See **LAW**
Staff, 5-11-105, 5-11-111, 5-11-112
Subpoena power, 5-11-107
Term of membership, 5-11-102
Uniform State Laws, Commission on — appointments to, 1-12-101, 1-12-102
Vacancies, how filled, 5-11-103
Veto messages, transmittal to, 5-4-308
Watercourse name changes, report to, 2-15-401
Witnesses' attendance and depositions, authority for, 5-11-107
Writing required, reports to legislature, 5-11-210

LEGISLATIVE FINANCE

Appropriations
- general fund spending reductions, 17-7-140
- overspending, complaints, 17-8-104
- program transfers, information to, 17-7-139
- supplemental, procedures, 17-7-301, 17-7-311
- transfers between agencies, report, 17-8-101

Budget
- amendments, duties, 5-12-102, 5-12-401, 5-12-402, 17-7-402 — 17-7-405
- analysis, 5-12-303
- expenditure and disbursement recommendations, 5-12-303
  - nonstate and nonfederal money, 17-7-114
- general fund spending reductions, 17-7-140
- requests, submission to, 17-7-112

Citation of Legislative Finance Act, 5-12-101

Committee
- administration, department of — report concerning review of treasury funds, 17-2-111
- appointment of members and composition, 5-12-202
- attorney general, reports by, 44-12-206, 44-13-103
- compensation and expenses of members, 5-12-203
- creation, 5-12-201
- dedicated revenue provisions and statutory appropriations, review, 17-1-505
- higher education funds, interentity loan procedures and negative cash balance report, 17-2-107
- meetings, 5-12-205
- natural resources and conservation, department of — allocation of funds for emergency projects, 85-1-605
- officers, 5-12-203
- powers and duties, 5-12-205
- reports and recommendations requested by, 5-12-302
- rules, 5-12-205
- term of membership, 5-12-203
- transportation, department of — reports by, 60-11-111
- vacancies, how filled, 5-12-204
- workers' compensation benefit claim processing, operation plan — review, 39-71-203

Definitions, 5-12-102

Investigatory powers, 5-12-205, 5-12-303

Legislative fiscal analyst, See also generally **PUBLIC OFFICERS OR EMPLOYEES**
- community college districts, submission of proposal for funding, 20-15-309
- computer system planning council, legislative branch — member, 5-11-402
- confidential records and information furnished to, disclosure prohibited, 5-12-303
- consultant studies, resume of results, 18-8-111
- corporation income tax data provided to, 15-31-511
- duties, 5-12-302
- employee incentive program, suggestions or inventions submitted — copy to, 2-18-1103
- employment preference, See **LABOR AND EMPLOYMENT, Preference to handicapped persons**
- income tax, individual — data furnished to, 5-12-303, 15-30-303
- information furnished to, 5-12-303
- investments, board of — report by, 17-5-1650
- long-range building program recommendations, submission to, 17-7-111
- office, establishment, 5-12-301
- pay plan schedules and salary upgrades, submission to, 17-7-111, 17-7-112
- public contracts, nonstate entities — access to records, 18-1-118

LEGISLATIVE FINANCE (Continued)
Legislative fiscal analyst (Continued)

reports and recommendations by, 5-12-302
revenue oversight committee, assistance, 5-12-302
salary and employment, 5-12-205
staff and consultants, 5-12-304
Purpose of Legislative Finance Act, 5-12-101

LEGISLATIVE HISTORY ACT, Title 5, chapter 4, part 4
See **LEGISLATURE**

LEGISLATIVE INTERN ACT OF 1974, Title 5, chapter 6
See **LEGISLATURE, Interns**

LEGISLATURE
Absent members, attendance compelled, Const., V, 10
Acts, See **LAW, Enactment and repeal**
Adjournment, Const., V, 10
administrative rules, failure to repeal prior to — effect, 2-4-412
budget director, audit costs — schedule of appropriation amounts to legislative auditor, 5-13-402
committees, standing or select — interim status and authority, 5-5-202
fish and wildlife laws, publication, 87-1-405
governor, action on bills
no action, bill becomes law, 5-4-307; Const. VI, 10
veto, legislature adjourned for day, 5-4-306
indian affairs, committee on — appointments prior to, 5-19-102
interim studies, selection and assignment, 5-5-217
journals, printing, 5-11-202
lobbyists, filing of accounts by principals, 5-7-208
public employees' compensation determination, intent, 2-18-301
referendum petitions, filing, Const., III, 5
session laws, printing, 5-11-202
sine die, 5-5-217
Administrative Code Committee, See also **ADMINISTRATIVE CODE COMMITTEE**
appointment to, 5-14-101
recommendations for agency rulemaking authority, 2-4-314
Administrative register, copies distributed to members, 2-4-312
Administrative rules
failure to object to, effect, 2-4-412
poll for proposals or review, See **ADMINISTRATIVE RULES, Legislative poll**
Adult basic education programs, funding, 20-7-712
Aging, recommendations on problems of, 52-3-101
Agricultural land valuation, advisory committee pertaining to — representation, 15-7-222
Air quality permitting requirements and funding of authority, 75-2-211
Amendment of bills, See **LAW, Enactment and repeal**
Amtrak, agreements to expand service, 60-11-201
Appointment of member to other office, 5-2-104; Const., V, 9
Appointments by governor, See **GOVERNOR**
Apportionment, Const., V, 14; Title 5, chapter 1, See **ELECTIONS, Electoral districts; REAPPORTIONMENT COMMISSION**
Appropriations, See **APPROPRIATIONS**
Approval of bills by governor, See **GOVERNOR, Legislature**
Armed persons, importation into state, 45-8-106; Const., II, 33
Arrest, members exempt, 46-6-102; Const., V, 8
Art for state buildings, Title 22, chapter 2, part 4, See **CAPITOL AND OTHER STATE BUILDINGS**

LEGISLATURE (Continued)

Attack, enemy — legislature to convene, 2-16-513, 10-3-609, See also **EMERGENCIES AND EMERGENCY POWERS, Continuity of government; GOVERNOR, Succession**
Attainder prohibited, Const., II, 30
Attorney general opinions, 2-15-501
Audits of state agencies, Const., V, 10; Title 5, chapter 13, See **LEGISLATIVE AUDIT**
Banks and trust companies, insolvent — approval of depositor's or creditor's claim against state, 32-1-537
Biennial sessions, Const., V, 6
Bills and resolutions, See **LAW, Enactment and repeal**
Boundary Advisory Committee, Montana-Western Canadian Provinces, Title 1, chapter 13, part 1, See **CANADA**
Budget, See also **BUDGET AND BUDGETING**
  action on, 17-7-131
  amendments
    allowed when, 17-7-131
    certification improper, complaints, 17-7-405
  general fund spending reductions, 17-7-140
  hearings, officers' right to appear, 17-7-132
  judicial budget requests, 3-1-702
  legislative branch requests, 17-7-111, 17-7-122
  resource and indemnity trust interest account, diversion of allocations — requirements, 15-38-202
  submission to legislature, 17-7-122; Const., VI, 9
  supplemental appropriations, 17-7-301, 17-7-311
Budget director, See **BUDGET AND PROGRAM PLANNING, OFFICE OF**
Buildings
  construction, consent and appropriation, 18-2-102
  energy conservation program
    administrative expenditures, money authorized for, 90-4-613
    bonds or bond anticipation notes, authorization, 90-4-611
    project recommendations and energy cost savings, 90-4-606, 90-4-614
  highway general obligation bond proceeds, authority, 17-5-506
  lease with option to purchase, approval, 18-3-101
  long-range building program, 17-7-203; Title 17, chapter 5, part 4
Call to order, 5-2-212, 5-2-213
Candidacy of member for other office, 5-2-104; Const., V, 9
Capitol, relocation, 10-3-607
Capitol Restoration Commission, Title 5, chapter 17, part 2
Caucus, presession, See **Sessions**, presession caucus
CERCLA
  bonds, authorization for issuance, 75-10-623
  cooperative agreements, appropriation for implementation, 75-10-604
Chaplains, 5-2-221, See also **Employees**
Chief clerk of the house, See **House of Representatives**
Child support, uniform guidelines — modification proposals to, 40-5-209
Cities and towns
  immunity from suit provided when, 7-1-4125
  winter work committee minutes, use by, 7-16-4309
Civil defense, See **Emergencies and disasters**
Claims for disbursements
  bank, insolvent — creditors or depositors of, 32-1-537
  transmittal, 17-8-202
Clean coal technology demonstration fund revenue for, determination, 90-4-901
Clean coal technology projects approval, 90-4-901, 90-4-903

LEGISLATURE (Continued)

Coal severance tax, duties
  bonds, Title 17, chapter 5, part 7
  funds, 17-6-331
  investment, 17-6-305
Code of Ethics, Title 2, chapter 2, part 1; Const., XIII, 4, See also **CODE OF ETHICS**
Code sets, availability to legislators and committees, 5-11-209
Collective bargaining agreements of state employees, submission to, 39-31-305
Committees
  administration, department of
    assistance, 17-1-103
    officers, right to appear, 17-7-132
  administrative code, See also **ADMINISTRATIVE CODE COMMITTEE**
    appointment to, 5-14-101
    recommendations for agency rulemaking authority, 2-4-314
  agency or program review
    hearings, 2-8-113
    recommendations for, 2-8-105
  agriculture, reports by fertilizer advisory committee, 80-10-106
  appointment, 5-2-201, 5-2-202
  appropriations, house
    administration, department of — assistance, 17-1-103
    budget amendment approval, 17-7-402
    budget director, assistance, 17-1-131
    cultural and aesthetic projects
      advisory committee recommendations, 22-2-302
      grant proposals, 22-2-304
    interentity loan extension justification and repayment plan submitted to, 17-2-107
    law enforcement teletypewriter communications system reports, submission to, 44-2-314
    legislative finance committee, members appointed to, 5-12-202
    presession work, 5-2-202, 5-2-203
  boundary advisory, Montana-western canadian provinces, Title 1, chapter 13, part 1, See **CANADA**
  budget and budget bills
    "approving authority" defined, 17-7-102
    hearings, officers' right to appear, 17-7-132
    referral to, 17-7-131
  budget director, assistance, 17-1-131
  chairmen, subpoena power, 5-5-101
  committee of the whole, amendatory vetoes — consideration, 5-4-304
  committee on committees, senate
    gaming advisory council, appointments to, 2-15-2021
    indian affairs, committee on — appointments to, 5-19-102
    joint subcommittee members, appointment by, 5-5-211, 5-5-217
    legislative council, appointments to, 5-11-101
    legislative finance committee, appointments to, 5-12-202
    lottery, state — legislative liaison committee, appointments to, 23-7-203
    microbusiness advisory council, legislative consulting panel — appointments to, 17-6-411
    presession work, 5-2-202, 5-2-203
    revenue oversight committee, appointments to, 5-18-102
    water policy committee, appointments to, 85-2-105
  conference committees, 5-4-304
  criminal intelligence information advisory council, judiciary committee representation on, 44-5-501

LEGISLATURE (Continued)
Committees (Continued)

- energy policy committee, See **EMERGENCIES AND EMERGENCY POWERS, Energy supply emergencies**
- environmental quality council, appointments to, 5-16-101, See **ENVIRONMENTAL QUALITY COUNCIL**
- establishment, Const., V, 10
- finance and claims, senate
  - administration, department of — assistance, 17-1-103
  - budget amendments, Title 17, chapter 7, part 4
  - budget director, assistance, 17-1-131
  - interentity loan extension justification and repayment plan submitted to, 17-2-107
  - legislative finance committee, members appointed to, 5-12-202
  - presession work, 5-2-202, 5-2-203
- fiscal note requirements for bills, See **Fiscal notes**
- gifts to public servants by persons subject to their jurisdiction unlawful, 45-7-104
- hearings, officers' right to appear, 17-7-132
- indian affairs, committee on — appointments to, 5-19-102, See **INDIANS, Committee on Indian Affairs**
- institutions, sale of former — consultation concerning, 77-2-302
- interim activities, 2-18-502, 5-5-202, 5-11-105
- legislative administration
  - computer system planning council, legislative branch — designation of members and approval of plan, 5-11-402, 5-11-405
  - presession work, 5-2-202, 5-2-203
- legislative audit, appointments to, 5-13-202, See **LEGISLATIVE AUDIT**
- legislative auditor, assistance by, 5-13-306
- legislative consumer, appointments to, 5-15-101, See **LEGISLATIVE CONSUMER COMMITTEE**
- legislative council, appointments to and duties, See **LEGISLATIVE COUNCIL**
- legislative finance, appointments to, 5-12-202, See **LEGISLATIVE FINANCE**
- legislative fiscal analyst, assistance by, 5-12-302
- lobbying payments, governmental requests not, 5-7-211
- lottery, state
  - audit reports to certain committees, 23-7-410
  - commission, reports to certain committees, 23-7-202
  - legislative liaison committee, 23-7-203
- meal allowance when, 2-18-502
- Montana code annotated, sets reserved for, 5-11-209
- oaths to witnesses, power to administer, 5-5-201
- pearl harbor memorial, Title 5, chapter 17, part 3
- public employee retirement systems, Title 5, chapter 21, part 1
- public meetings, Const., V, 10
- public participation in government, exception, 2-3-102
- revenue oversight, appointments to, 5-18-102, See **REVENUE OVERSIGHT COMMITTEE**
- rules, committees on — presession work, 5-2-202, 5-2-203
- standing or select committees
  - agency or program review, hearings, 2-8-113
  - budget director, assistance, 17-1-131
  - interim status and authority, 5-5-202
  - job training plan, review and comment, 53-2-1110
  - legislative council services and authority, See **LEGISLATIVE COUNCIL**
  - legislative finance, powers, 5-12-205
  - meal allowance, 2-18-502
  - Montana code annotated, sets reserved for, 5-11-209
  - reports and recommendations by, 5-11-105

LEGISLATURE (Continued)
Committees (Continued)

- state treasurer, information to, 17-1-111
- statutorily created, 5-11-105, See also specific committee
- subcommittees, joint interim,
  - appointment and composition, 5-5-211
  - duties, 5-5-215
  - interim activity and staff, 2-18-502, 5-5-202, 5-5-214, 5-11-105
  - job training plan, review and comment, 53-2-1110
  - legislative council services and authority, See **LEGISLATIVE COUNCIL, Committees, legislative**
  - meal allowance, 2-18-502
  - membership limited, 5-5-211
  - officers, 5-5-213
  - records to be kept, 5-5-215
  - reports and recommendations by, 5-5-216, 5-11-105
  - resignation implied when, 5-5-212
  - studies assigned to, 5-5-217, 5-11-105
  - vacancies, how filled, 5-5-212
- supreme court chambers, former — purpose, 2-17-109
- taxation, chairmen — consultation concerning committee appointments, 5-18-102
- water policy — appointments to, advice, and reports, 85-2-105, See **WATER**
- witnesses' testimony, See **Witnesses**

Communication systems, assistance and rulemaking, 2-17-302
Community college district organization, approval, 20-15-209
Compensation, See **Salary and expenses of members**
Composition, 5-2-101; Const., V, 1
Computer system planning, Title 5, chapter 11, part 4
Conflict of interest of member, 2-2-112, 23-7-203
Conservation districts
- appropriation, 76-15-403, 76-15-502
- property acquisition, management, and disposal — limitations, 76-15-405

Constitutional amendments, 2/3 vote required to propose by referendum, Const., XIV, 8
Constitutional convention, 2/3 vote required for referendum, Const., XIV, 1; XIV, 4
Consumer Committee and counsel, Title 5, chapter 15, See **CONSUMER COUNSEL; LEGISLATIVE CONSUMER COMMITTEE**
Consumer counsel, funding, 69-1-223
Continuity of government, See **EMERGENCIES AND EMERGENCY POWERS; GOVERNOR, Succession**
Contract disputes with state, appropriations for judgments, 18-1-414
Contracts, public, Title 18
Convening, See **Sessions; Special sessions**
Corporations, reservation of power, 35-1-118
Corrections and Human Services, Department of — program proposals to, 53-1-203
Council of State Governments, 5-11-301, 5-11-302
Counties
- creation by, 7-2-2301, See **COUNTIES, New, creation by legislation**
- name change, effect on legislative officials, 7-2-2513

Courts
- administrator, reports, 3-1-702
- judicial districts, creation, Const., VII, 6
- justices of the peace, provision for additional justices, Const., VII, 5
- rules of procedure subject to legislative disapproval, Const., VII, 2

Crimes involving members, See **CRIMES, Public officers and employees**
Criminal justice agency technical assistance and supportive services assigned by, 44-4-301

LEGISLATURE (Continued)

Cultural and aesthetic projects
  account funds, appropriation, 22-2-305
  advisory committee recommendations, 22-2-302
  grant proposals, 22-2-304
Debate subject to question only in legislature, Const., V, 8
Developmental Disabilities Planning and Advisory Council, appointments to, 2-15-2204
Disasters and emergencies, See **Emergencies and disasters**
Discriminatory practices in employment allowed when, 49-2-308
Districting and apportionment, See **ELECTIONS, Electoral districts; REAPPORTIONMENT COMMISSION**
Education, constitutional provisions, Const., X, 1
Effective date of laws, See **LAW, Enactment and repeal**
Election duties
  ballot issues
    appointment of committees to prepare arguments, 13-27-402
    special election when, Const., IV, 7
  political practices, commissioner of — appointment, confirmation, 13-37-102
  tie votes, election to break, 13-16-504
Election of, See also **ELECTIONS**, generally
  applicability of laws, 13-26-102
  ballot, placement, 13-12-207
  campaign contributions, limitation, 13-37-216
  campaign finance reports, filing, 13-37-226
  certification of vote, 13-15-501, 13-16-418
  constitutional convention delegates, applicability of laws, 13-26-102
  contested, Const., V, 10
  date, 13-1-104
  declaration for nomination, filing
    fee, 13-10-202
    where filed, 13-10-201
  judging, Const., V, 10
  recount when, 13-16-201, 13-16-418
  residence, 13-1-112, 13-10-201, 13-10-208, 13-12-201; Const., V, 4
  roster of legislators, 5-2-211
  term of office, 5-2-102, 5-2-401, 5-2-406; Const., V, 3
  tie vote, 13-16-503
  vacancy among
    legislators, Const., V, 7
    nominees, 13-14-118
Electoral districts, See **ELECTIONS, Electoral districts; REAPPORTIONMENT COMMISSION**, generally
Eligibility of member to other office, 5-2-104; Const., V, 9
Emergencies and disasters
  confirmation of declaration of, 10-3-302, 10-3-303, 10-3-505
  energy, extension or termination, 90-4-310
  sessions, emergency, 2-16-513
  succession in office, See **EMERGENCIES AND EMERGENCY POWERS, Continuity of government; GOVERNOR, Succession**
  termination, 10-3-303, 10-3-505
Eminent domain, authorization of public uses, 70-30-102
Employees
  appointment, 5-2-221
  duties, 5-2-222
  hiring, 5-2-201, 5-2-202
  incentive program, Title 2, chapter 18, part 11

LEGISLATURE (Continued)
Employees (Continued)

minors' employment prohibited, exemptions, 41-2-104
public employees' retirement system provisions, applicability, 19-3-403
statewide classification and pay plans, 2-18-103
Enactment and repeal of laws, See **LAW**
Energy conservation, state buildings, See **Buildings**, energy conservation program
Energy emergency, extension or termination, 90-4-310
Energy policy analysis for energy-related bills, 90-4-1004
Energy Policy Committee, See **EMERGENCIES AND EMERGENCY POWERS, Energy supply emergencies**
Environmental protection, formulation of state policies, Const., IX, 1; IX, 2; Title 5, chapter 16, See **ENVIRONMENTAL QUALITY COUNCIL**
Environmental Quality Council, appointments to, 5-16-101, See **ENVIRONMENTAL QUALITY COUNCIL**
Environmental quality studies, reports, and recommendations, 75-1-324
Ethics, Code of, Title 2, chapter 2, part 1; Const., XIII, 4, See also **CODE OF ETHICS**
Evaluation of state agencies, See **EXECUTIVE BRANCH, Legislative review**
Expense allowance for members, See **Salary and expenses of members**
Expulsion of members, Const., V, 10
Extra sessions, See **Special sessions**
Facsimile signatures of members, 5-2-105
Federal assistance programs, Title 17, chapter 3, part 1
Federal comprehensive environmental response, compensation, and liability cooperative agreements — appropriation for implementation, 75-10-604
Federal Higher Education Programs, Commission on — assignation of duties, 20-2-403
Federal land grants, approval for acceptance when, 77-1-211
Fiscal analysis of state government, See **LEGISLATIVE FINANCE**
Fiscal notes
background information concerning, availability, 5-4-206
contents, 5-4-205
dedication of revenue findings, inclusion, 17-1-506
distribution, 5-4-204
preparation, 5-4-203, 20-2-115
request for, 5-4-202
required when, 5-4-201
revenue estimates, 5-18-107
sponsor's fiscal note, 5-4-204
submission, 5-4-204
Floor leaders, See **Majority and minority leaders**
Food and Nutrition, State Advisory Council on — representation on, 2-15-2210
Forest lands, state — disposition of profits prescribed by, 77-1-216
Gambling, authorization through referendum, Const., III, 9
Gaming Advisory Council, appointments to, 2-15-2021
Gifts to legislators, acceptance prohibited, 2-2-104
Governor, See **GOVERNOR**
Highway patrol officers' retirement, supplemental benefit funding — recommendations concerning, 19-6-709
Health and Environmental Sciences, Department of
spending authorization for hazardous waste/CERCLA special revenue account, 75-10-621
vessel pumpout facility construction, approval, 23-2-522
Health care authority, membership selection, 50-4-201, See also **HEALTH CARE, STATEWIDE UNIVERSAL ACCESS**
Highways
federal laws regarding, assent to, 60-3-101
revenues, continued provision for, 17-5-914
Historical sites, acquisition proposals, 23-1-108

LEGISLATURE (Continued)

Historical Society
  board of trustees, approval of appointments, 22-3-104
  report, biennial, 22-3-107
History Act, See **Legislative History Act**
Holidays designated by, 20-1-306
House of Representatives, See also **PUBLIC OFFICERS OR EMPLOYEES**, generally
  call to order, 5-2-213
  chambers, location, 2-17-101
  chaplain, appointment, 5-2-221
  chief clerk, See also **Employees**
    appointment, 5-2-221
    arrest warrant, countersignature, 5-5-104
    computer system planning council, legislative branch — member, 5-11-402
    session laws and journals, copies to, 5-11-203
  employees' appointment, confirmation, 5-2-221
  impeachment, sole power vested in, 5-5-402; Const., V, 13; See also **IMPEACHMENT**, generally
  number of members, Const., V, 2
  officers, See **Officers**
  office space, allocation, 2-17-108
  organization, 5-2-213, 5-2-216; Const., V, 10
  public employees' retirement system, service credit, 19-3-521
  quorum, 5-2-212, 5-2-213, 10-3-606
  rooms, allocation, 2-17-108
  rosters, 5-2-211
  sergeant-at-arms
    appointment, 5-2-221
    computer system planning council, legislative branch — member, 5-11-402
  speaker of the house, See **Speaker of the house**
  speaker pro tempore, 5-2-221, 5-2-222
  vacancies, See **Vacancies**
Immunity from liability, 2-9-111, See also **GOVERNMENT**
Impeachment of officers, Const., V, 13; Title 5, chapter 5, part 4, See **IMPEACHMENT**
Importation of armed persons into state, 45-8-106; Const., II, 33
Incentive program awards for employees, consideration by, 2-18-1106, See **PUBLIC OFFICERS OR EMPLOYEES**
Indian Affairs, Committee on — Title 5, chapter 19, part 1, See **INDIANS, Committee on Indian Affairs**
Initiatives, special election when, Const., IV, 7
Institutions — abandonment, moving, or discontinuance — consent to, 52-1-105, 53-1-202
Insurance, group — participation, 2-18-703, 2-18-704, 2-18-809, 5-2-303, See also **PUBLIC OFFICERS OR EMPLOYEES, Group benefits**
Insurers, taxing — preemption, 33-2-707
Intent
  statement of, inclusion in bills, 5-4-404
  statutes, construction, 1-2-102
Interim studies, See also **Committees**
  legislative council responsibilities, See **LEGISLATIVE COUNCIL**
  requests for, 5-5-217
  standing or select committees, interim authority, 5-5-202
  subcommittees, functions, 5-5-214, 5-5-216, 5-11-105
Interlocal cooperation commission, recommendations made by, 7-11-230
Interns
  assignment, 5-6-107
  citation of legislative intern act of 1974, 5-6-101

LEGISLATURE (Continued)
Interns (Continued)

  establishment of program, 5-6-102
  funding by legislature not required, 5-6-111
  guidelines, 5-6-108
  number of, 5-6-104
  participants, 5-6-102
  preference to Montanans, 5-6-106
  qualifications, 5-6-106
  responsibility to legislator, 5-6-109
  schools, participation not mandatory, 5-6-110
  selection, 5-6-104 — 5-6-106
  term of service, 5-6-103
Interstate cooperation, 5-11-301, 5-11-302
Investment companies, insolvent — approval of depositor's or creditor's claim against state, 32-1-537
Irrigation district projects authorized by, nonapplicability of indebtedness limitations, 85-7-2001
Job training
  job training plan, submission to, 53-2-1110
  state job training coordinating council, recommendations by, 53-2-1105
Joint resolutions, See **LAW, Enactment and repeal**
Joint rules, See **Rules, joint**
Journals
  authentication, 5-11-201
  custody of, 2-6-111
  impeachment, entries of court proceedings, 5-5-419, 5-5-422
  members, copies to, 5-11-203
  oath of office entered in, 5-2-214
  printing, See **LEGISLATIVE COUNCIL, Journals**
  publication and distribution, See **LEGISLATIVE COUNCIL, Proceedings**
  required, Const., V, 10
  voting record contained in, Const., V, 11
Judicial districts, creation, Const., VII, 6
Judicial notice of actions of, Title 26, chapter 10, M.R.Ev., Rule 202
Justices of the peace, provision for additional justices, Const., VII, 5
Law Library, State — use by members, 22-1-505
Laws, specification and form, See **LAW, Enactment and repeal**
Leave of absence from employment, 2-18-620
Legislative Audit Act, Title 5, chapter 13, See **LEGISLATIVE AUDIT**
Legislative Audit Committee, appointments to, 5-13-202, See **LEGISLATIVE AUDIT**
Legislative auditor, Title 5, chapter 13, See **LEGISLATIVE AUDIT**
Legislative Consumer Committee, appointments to, 5-15-101, See **LEGISLATIVE CONSUMER COMMITTEE**
Legislative Council, appointments to and duties, See **LEGISLATIVE COUNCIL**
Legislative Finance Act, Title 5, chapter 12, See **LEGISLATIVE FINANCE**
Legislative Finance Committee, appointments to, 5-12-202, See **LEGISLATIVE FINANCE**
Legislative fiscal analyst, Title 5, chapter 12, See **LEGISLATIVE FINANCE**
Legislative History Act
  citation, 5-4-401
  "delegation of authority" defined, 5-4-403
  intent, statement of, 5-4-404
  purpose, 5-4-402
Legislative Intern Act of 1974, Title 5, chapter 6, See **Interns**
Liability, See **GOVERNMENT**

LEGISLATURE (Continued)

Libraries
  joint services with university system, new building subject to approval by, 22-1-403
  library services, policy to encourage, 22-1-401
Liquor stores, state — approval of closure or sale, 16-2-101
Lieutenant governor elected by, when, 2-16-512
Lobbying regulations, Title 5, chapter 7, See **LOBBYING AND LOBBYISTS**
Local Citizen Review Board
  screening committee, composition, 41-3-1002
  youth court, reports required, 41-3-1004
Local government infrastructure projects, approval, 90-6-710
Long-range building program, 17-7-203; Title 17, chapter 5, part 4; Title 17, chapter 7, part 2
Lottery, state
  audit reports, 23-7-410, 23-7-411
  commission, reports to certain committees, 23-7-202
  legislative liaison committee, 23-7-203
Majority and minority leaders, 5-2-221, See also **Officers**
  discriminatory practices in employment allowed when, 49-2-308
  election of, 5-2-221; Const., V, 10
  energy policy committee, members, 90-4-303
  environmental quality council, appointments to — consent, 5-16-101
  legislative council, appointments to — advice concerning, 5-11-101
  pacific northwest economic region, member appointed by, 5-11-703
  political practices, commissioner of — selection committee, 13-37-102
  presession activity, See **Sessions**, presession caucus
  reapportionment commissioners appointed by, 5-1-102, 5-1-103; Const., V, 14
  revenue oversight committee, appointments to — consultation concerning, 5-18-102
Majority and minority whips, 5-2-221, See also **Officers**
Majority vote required, 5-2-215, 5-4-305, 5-4-306, 17-5-706, 17-5-801, 17-8-106, 18-3-101, 39-71-2503, 75-5-1122, 90-4-611; Const., V, 11; VI, 10
Medical licensees' privileges, alteration, 37-3-302
Meetings, See **Sessions**; **Special sessions**
Microbusiness Advisory Council, legislative consulting panel, 17-6-411
Mileage allowance for members, 2-18-503, 5-2-301, 5-2-302
Military service, appointment of acting member, 10-2-227
Minority leaders, See **Majority and minority leaders**
Montana Code Annotated, availability to legislators and committees, 5-11-209
Motor vehicle license plates, special — approval, 61-3-332
Natural areas, lands for
  designation, 76-12-107
  eminent domain, authorization for acquisition by, 76-12-108, 76-12-110
  reports concerning, 76-12-109
Nonprofit corporations, reservation of power, 35-2-116
Number of members, Const., V, 2
Oaths
  administered to members, 2-16-211, 5-2-212, 5-2-213, 5-5-416; Const., III, 3
  committee members, power to administer, 5-5-201
  impeachment, senate as court of, 5-5-403, 5-5-416
  journals, entered in, 5-2-214
  officers, power to administer, 5-2-222, 5-5-416
Officers
  election, 5-2-212, 5-2-213, 5-2-215, 5-2-216, 5-2-221; Const., V, 10
    majority vote required, 5-2-215
    tie vote, procedure, 5-2-216
  facsimile and manual signatures filed with, 5-2-105

LEGISLATURE (Continued)
Officers (Continued)

- nomination, 5-2-201
- powers and duties, 5-2-222
  - fiscal notes, See **Fiscal notes**
- salaries, See **Salary and expenses of members**
- statewide classification and pay plans, 2-18-103

Oil and gas leases on state lands, re-leasing terms and conditions, 77-3-407
Open meetings, Const., V, 10
Organization, 5-2-211 — 5-2-213, 5-2-216; Const., V, 10
Pacific Northwest economic region, participation, Title 5, chapter 11, part 7
Parks, state — acquisition proposals, 23-1-108
Pearl Harbor Memorial Committee, Title 5, chapter 17, part 3
Percent-for-Art Act, Title 22, chapter 2, part 4, See **CAPITOL AND OTHER STATE BUILDINGS**
Per diem of members, See **Salary and expenses of members**
Performance audits, See **EXECUTIVE BRANCH, Legislative review**
Place and time of sessions, 5-2-103; Const., V, 6; V, 10; VI, 11
Poll of members, See also **ADMINISTRATIVE RULES, Legislative poll**

- special sessions, 5-3-105 — 5-3-108
- vetoed bills, consideration, 5-4-306; Const., VI, 10

Power, Const., V, 1
Presession caucus, See **Sessions**
President of the senate, 5-2-221, See also **Officers**

- arrest warrant, 5-5-104
- ballot issue argument committees, appointments to, 13-27-402, 13-27-404
- budget provisions, "approving authority" defined, 17-7-102
- capitol restoration commission, member of and appointments to, 5-17-203
- computer system planning council, legislative branch — designation of member, 5-11-402
- election, 5-2-221
  - majority party candidate, 5-2-216
  - tie vote, effect, 5-2-216
- employees, appointment, 5-2-221
- energy policy committee, member, 90-4-303
- environmental quality council
  - appointments to, 5-16-101
  - notice of vacancy, posting required when, 5-16-104
- governor
  - acting, as, 2-16-515
  - appointments, certification, 5-5-303
  - party of, candidate for president, 5-2-216
  - succession to, 2-16-511 — 2-16-515
- impeachment, trial duties, 5-5-412, 5-5-414, 5-5-416, 5-5-418, See also **IMPEACHMENT**, generally
- journal authentication, 5-11-201
- lottery, state
  - audit reports to, 23-7-410, 23-7-411
  - commission, reports by, 23-7-202
- majority party candidate, election, 5-2-216
- oaths, power to administer, 5-2-222, 5-5-416
- pacific northwest economic region, member appointed by, 5-11-703
- political practices, commissioner of — selection committee, 13-37-102
- pro tempore, 2-16-513, 5-2-221, 5-2-222
- reserved water rights compact commission, appointments to, 2-15-212
- salary and expenses, 2-18-501, 2-18-503, 5-2-301
- subpoena power, 5-5-101
- veto override, authentication, 5-4-305

LEGISLATURE (Continued)

President pro tempore of the senate, 2-16-513, 5-2-221, 5-2-222, See also **Officers**
Presiding officers, See **Officers**, generally
Printing Control Act, State, Title 18, chapter 7, part 3, See **PUBLIC CONTRACTS, Printing**, state printing
Privileges and immunities, irrevocable grant prohibited, Const., II, 31
Privatization of state programs, Title 2, chapter 8, part 3
Proceedings
  health care information, disclosure
    compulsory process or discovery, 50-16-535, See also **HEALTH CARE INFORMATION**
    testimony prohibited when, 50-16-605
  publication and distribution, See **LEGISLATIVE COUNCIL**
Publications library distribution center, 22-1-211 — 22-1-218
Public assistance programs, legislative findings, 53-3-115
Public Employee Retirement Systems, Committee on, Title 5, chapter 21, part 1
Public Employees' Retirement System
  postretirement or cost-of-living increases, 19-3-1008
  service credit, 19-3-521
Public meetings, Const., V, 10; V, 11
Public officers
  absence from state, consent for, 2-16-112, 2-16-501
  resignation, 2-16-502
Public participation in government, exception, 2-3-102
Public records, See **PUBLIC RECORDS**
"Public servant", legislator defined as, 45-2-101, See **CRIMES, Public officers and employees**
Public Service Regulation, Department of — funding, 69-1-402, 69-1-403
Punishment, Const., V, 10
Purchase of goods and services, Title 18, chapters 4 and 5
Qualifications, Const., V, 4
Quorum, 5-2-212, 5-2-213, 10-3-606; Const., V, 10
Rail passenger service applications, approval of agreements for, 60-11-201
Railroads
  grain elevators or warehouses along right-of-way, control, 69-14-907
  transportation of property and persons, change of provisions concerning, 69-14-558
Reapportionment, See **ELECTIONS, Electoral districts; REAPPORTIONMENT COMMISSION**
Recall of members, See **RECALL**
Recess, Const., V, 10
Reclamation and development grant program projects, approval, 90-2-1111, 90-2-1112
Recodification, See **LAW**
Records management and preservation, 2-6-203, 22-3-203; Const., VI, 4, See also **PUBLIC RECORDS**, generally
Recycling program, Title 75, chapter 10, part 8, See **SOLID WASTE MANAGEMENT, Integrated waste management**
Referendums, special election when, Const., IV, 7, See **BALLOT ISSUES**
Reimbursement, See **Salary and expenses of members**
Reports to legislature
  administration, department of, 2-18-209, 17-1-103
  agricultural experiment station, 20-25-236
  agriculture, department of, 80-7-713
  apprenticeship programs, concerning, 39-6-101
  appropriations for second fiscal year of biennium, expenditure during first fiscal year of biennium made from, 17-7-301
  clearinghouse for, 5-11-210

LEGISLATURE (Continued)
Reports to legislature (Continued)

- committees, legislative standing and select, 5-11-105
- comparable worth standard, periodic evaluation, 2-18-209
- cooperative extension service, 20-25-236
- costs of printing and distribution, 5-11-210
- court administrator, 3-1-702
- environmental impact statement fees, agencies' reports concerning, 75-1-203
- environmental quality council, executive director, 75-1-324
- executive clemency, 46-23-316
- executive orders of governor, 2-15-125
- fish, wildlife, and parks — department of, 87-1-215, 87-1-250
- flathead basin commission, 75-7-304
- governor, 2-15-108, 2-15-125, 17-7-301, 39-51-407, 46-23-316, 85-1-704; Const., VI, 9
    - inability to govern, report on, Const., VI, 14
- health and environmental sciences, department of, 50-49-108
- highway transportation agreement, multistate, 5-11-210
- historical society, 22-3-107
- indian affairs, committee on, 5-19-108
- interim subcommittees, 5-5-216, 5-11-105
- investment program, unified, Const., VIII, 13
- investments, board of, 17-5-1650
- judicial standards commission, 3-1-1122, 3-1-1126
- justice, department of, 2-15-2021
- labor and industry, department of, 39-6-101
- land commissioners, board of, 76-12-109
- legislative auditor, 19-21-111
- legislative council
    - clearinghouse for and procedures, 5-11-210
    - legislative committees and subcommittees, assistance, 5-11-105, 5-11-116
- legislative finance committee, 17-1-505
- legislative fiscal analyst, 5-12-302
- list of titles, 5-11-210
- livestock, department of, 87-1-215
- lobbyists and principals, 5-7-207
- lottery, state — legislative liaison committee, 23-7-203
- medicaid services, 53-6-110
- mental health state and community resources, activities and recommendations, 53-21-202
- Montana state hospital, status, 53-21-601
- mountain sheep license, auction proceeds — use or investment, 87-2-722
- natural areas, designation or acquisition, 76-12-109
- noxious plants and their management, 80-7-713
- nuclear compact, western interstate, 5-11-210
- political practices, commissioner of, 5-7-207
- public employees' retirement systems committee, 5-21-105
- publishing policy committee, 18-7-303
- revenue, department of, 2-7-104, 15-1-205
- revenue oversight committee, 5-18-107
- secretary of state, 13-13-279, 13-22-108
- social and rehabilitation services, department of, 53-6-110
- subcommittees, legislative, 5-5-216, 5-11-105
- taxation, 2-7-104, 15-1-205, 15-1-601
- tax commission, multistate, 15-1-601
- unemployment insurance administration account, replacement funds required, 39-51-407
- university system unit presidents, 20-25-305
- upland game bird enhancement activities, 87-1-250
- upper clark fork steering committee, 85-2-338

LEGISLATURE (Continued)
Reports to legislature (Continued)

- vehicle equipment safety compact, 5-11-210
- vocational education, K-12 — state director, 20-7-302.1
- water policy committee, 85-2-105
- water storage projects, 85-1-704
- workers' compensation rates, examination and review, 39-71-2362, 39-71-2363
- youth court, 41-3-1004

Reserved Water Rights Compact Commission, appointments to, 2-15-212
Residence, Const., V, 4
Resignations
- made to, 2-16-502
- members, of, See **PUBLIC OFFICERS OR EMPLOYEES, Vacancy in office**

Resolutions, See **LAW, Enactment and repeal**
Resort community revenue, authorization for imposition or collection, 7-6-4466
Retirement
- benefits, applicability, 19-2-303, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**
- public, continued participation, 5-2-304

Revenue of state, to insure strict accountability, Const., VIII, 12
Revenue Oversight Committee, See **REVENUE OVERSIGHT COMMITTEE**
- appointments to, 5-18-102
- revenue estimating duties, 5-18-107

Revenue studies, 2-7-104, 5-18-107
Review of state agencies, See **EXECUTIVE BRANCH, Legislative review**
Roster of legislators, 5-2-211 — 5-2-213
Rules, joint
- amendments in committee of the whole, 5-4-304
- communication systems, 2-17-302
- conflict of interest of members, disclosure, 2-2-112
- energy policy analysis requests, 90-4-1004
- fiscal note requests, 5-4-202
- legislative council functions, 5-11-112
- officers' duties, 5-2-222
- required, Const., V, 10
- statements of legislative intent, 5-4-404

Rules of court procedure subject to legislative disapproval, Const., VII, 2
Salary and expenses of members
- administrative code committee, 2-4-401
- indian affairs, committee on, 5-19-106
- interim compensation, 5-2-302
- interstate cooperation, delegations or committees for, 5-11-301
- legislative audit committee, 5-13-203
- legislative finance committee, 5-12-203
- meal allowance, 2-18-502
- mileage allowance, 2-18-503, 5-2-301, 5-2-302
- presession activity, 5-2-203
- provided by law, Const., V, 5
- remuneration for services performed, 5-2-301
- required, Const., V, 5
- reserved water rights compact commission, 2-15-212
- retirement system payments, 5-2-304
- revenue oversight committee, 5-18-106
- rules of conduct concerning compensation, 2-2-104, 2-2-111
- session compensation, 2-18-501, 2-18-503, 5-2-301
- trips to residence during session, 5-2-301

Savings banks, insolvent — approval of depositor's or creditor's claim against state, 32-1-537
School districts, rules with financial impact — funding, 20-2-115

LEGISLATURE (Continued)

School transportation reimbursements
  appropriation, 20-10-145
  rate schedules, authority, 20-10-142
Seating, assignment, 5-2-202
Secretary of state, legislative duties, See **SECRETARY OF STATE, Legislature**
Senate, See also **PUBLIC OFFICERS OR EMPLOYEES**, generally
  arts council, approval of appointments to, 22-2-102
  call to order, 5-2-212
  chambers
    location, 2-17-101, 2-17-109, 5-17-205
    remodeling and renovation, preservation, 2-17-109
  chaplain, appointment, 5-2-221
  employees' appointment, confirmation, 5-2-221
  governor, emergency succession to, 2-16-513
  governor's appointments, nomination and concurrence, 5-5-302, 5-5-303; Const., VI, 8
    air pollution control advisory council, members, 2-15-2106
    alternative health care board members, 2-15-1840
    architects, board of — members, 2-15-1871
    athletics, board of — members, 2-15-1882
    banking board, state — members, 2-15-1803
    barbers, board of — members, 2-15-1856
    boards, quasi-judicial — members, 2-15-124
    chiropractors, board of — members, 2-15-1847
    clinical laboratory science practitioners, board of — members, 2-15-1863
    cosmetologists, board of — members, 2-15-1857
    county printing, board of — members, 2-15-1811
    dentistry, board of — members, 2-15-1842
    directors of departments, 2-15-111; Const., VI, 8
    electrical board, state — members, 2-15-1874
    funeral service, board of — members, 2-15-1853
    hail insurance, board of — members, 2-15-3003
    hearing aid dispensers, board of — members, 2-15-1850
    horseracing, board of — members, 2-15-1881
    human rights, commission for — members, 2-15-1706
    judicial, confirmation, 3-1-1013; Const., VII, 8
    labor and industry, commissioner of, Const., XII, 2
    landscape architects, board of — members, 2-15-1872
    livestock, board of — members, 2-15-3102
    medical examiners, board of — members, 2-15-1841
    nursing, board of — members, 2-15-1844
    nursing home administrators, board of — members, 2-15-1845
    occupational therapy practice, board of — members, 2-15-1859
    optometry, board of — members, 2-15-1846
    pacific northwest electric power and conservation planning council, 90-4-402
    pharmacy, board of — members, 2-15-1843
    physical therapy examiners, board of — members, 2-15-1858
    plumbers, board of — members, 2-15-1875
    political practices, commissioner of, 13-37-102
    private security patrol officers and investigators, board of — members, 2-15-1891
    professional engineers and professional land surveyors, board of — members, 2-15-1873
    psychologists, board of — members, 2-15-1851
    public accountants, board of — members, 2-15-1866
    public education, board of — members, 2-15-1507; Const., X, 9

LEGISLATURE (Continued)
Senate (Continued)
    governor's appointments, nomination and concurrence (Continued)
        public officers
            generally, 2-16-203, 2-16-213, 5-5-413
            vacancies, filling, 2-16-506
        radiologic technologists, board of — members, 2-15-1848
        realty regulation, board of — members, 2-15-1867
        regents of higher education, board of — members, 2-15-1505; Const., X, 9
        sanitarians, board of — members, 2-15-1861
        science and technology development, board of — members, 2-15-1818
        speech-language pathologists and audiologists, board of — members, 2-15-1849
        state tax appeal board, 15-2-101
        vacancies when legislature not in session, Const., VI, 8
        veterans' affairs, board of — members, 2-15-1205
        veterinary medicine, board of — members, 2-15-1852
        water well contractors, board of — members, 2-15-3307
    historical society, approval of appointments to board of trustees, 22-3-104
    impeachment, senate as court of, 3-1-101, 5-5-403; Const., V, 13, See also **IMPEACHMENT**, generally
    number of members, Const., V, 2
    officers, See **Officers**
    office space, allocation, 2-17-108
    organization, 5-2-212, 5-2-216; Const., V, 10
    president of the senate, See **President of the senate**
    president pro tempore, 5-2-221, 5-2-222
    public employees' retirement system, service credit, 19-3-521
    quorum, 5-2-212, 5-2-213, 10-3-606
    rooms, allocation, 2-17-108
    rosters, 5-2-211
    secretary, See also **Employees**
        appointment, 5-2-221
        arrest warrant, countersignature, 5-5-104
        computer system planning council, legislative branch — member, 5-11-402
        governor's appointments, certification, 5-5-303
        oaths administered by, 5-5-416
        session laws and journals, copies to, 5-11-203
    sergeant-at-arms
        appointment, 5-2-221
        computer system planning council, legislative branch — member, 5-11-402
    vacancies, See **Vacancies**
Senior citizens' legislature, 52-3-111
Separation of powers, Const., III, 1
Sergeants-at-arms, 5-2-221, 5-5-104, 5-11-402, See also **Employees**
Session laws
    members, copies to, 5-11-203
    publication and distribution, See **LAW**
Sessions
    call for, immunity from liability, 2-9-113
    emergency, 2-16-513
    legislative auditor and staff, assistance by, 5-13-306
    legislative council responsibilities, See **LEGISLATIVE COUNCIL**, generally
    presession activity, 5-2-202
    presession caucus
        compensation and expenses, 5-2-203
        organization and purpose, 5-2-201, 5-2-202
    public, open to, Const., V, 10
    secretary of state, attendance, 2-15-401, 13-13-279, 13-22-108

LEGISLATURE (Continued)
Sessions (Continued)

- special sessions, See **Special sessions**
- time and place, 5-2-103; Const., V, 6; V, 10; VI, 11

Size, Const., V, 2
Social and Rehabilitation Services, Department of — medicaid services, reports, 53-6-110
Social Work Examiners, and Professional Counselors, Board of — recommendation for amendments to professional counselor provisions, 37-23-103
Solid waste regulation and management, appropriations, 75-10-117
Sovereign immunity, See **GOVERNMENT**
Space, assignment, 2-17-108, 5-2-202
Speaker of the house, 5-2-221, See also **Officers**

- arrest warrant, 5-5-104
- ballot issue argument committees, appointments to, 13-27-402
- budget provisions, "approving authority" defined, 17-7-102
- capitol restoration commission, member of and appointments to, 5-17-203
- computer system planning council, legislative branch — designation of member, 5-11-402
- election, 5-2-221
  - majority party candidate, 5-2-216
  - tie vote, effect, 5-2-216
- employees, appointment, 5-2-221
- energy policy committee, member, 90-4-303
- environmental quality council
  - appointments to, 5-16-101
  - notice of vacancy, posting required when, 5-16-104
- gaming advisory council, appointments to, 2-15-2021
- governor
  - acting, as, 2-16-515
  - party of, candidate for speaker, 5-2-216
  - succession to, 2-16-511 — 2-16-515
- indian affairs, committee on — appointments to, 5-19-102
- joint subcommittee members, appointment by, 5-5-211, 5-5-217
- journal authentication, 5-11-201
- legislative council, appointments to, 5-11-101
- legislative finance committee, appointments to, 5-12-202
- lottery, state
  - audit reports to, 23-7-410, 23-7-411
  - commission, reports by, 23-7-202
  - legislative liaison committee, appointments to, 23-7-203
- majority party candidate, election, 5-2-216
- microbusiness advisory council, legislative consulting panel — appointments to, 17-6-411
- oaths, power to administer, 5-2-222
- pacific northwest economic region, member appointed by, 5-11-703
- political practices, commissioner of — selection committee, 13-37-102
- pro tempore, 5-2-221, 5-2-222
- reserved water rights compact commission, appointments to, 2-15-212
- revenue oversight committee, appointments to, 5-18-102
- salary and expenses, 2-18-501, 2-18-503, 5-2-301
- subpoena power, 5-5-101
- veto override, authentication, 5-4-305
- water policy committee, appointments to, 85-2-105

Speaker pro tempore of the house, 5-2-221, 5-2-222, See also **Officers**
Special sessions

- call for, 2-16-504, 5-2-103, 5-3-101, 5-3-102, 10-3-505; Const., V, 6; VI, 11
  - approval, 5-3-107
  - failure to approve, 5-3-108

LEGISLATURE (Continued)
Special sessions (Continued)
  call for (Continued)
    immunity from liability, 2-9-113
  energy supply emergencies, 90-4-310
  future, calling, 5-3-102
  governor, to determine ability to discharge powers and duties of office, Const., VI, 14
  mileage allowance when, 2-18-503, 5-2-301
  poll of legislators
    approval, 5-3-107
    date of session, notification, 5-3-107
    failure to approve, 5-3-108
    procedure, 5-3-106
    request for, 5-3-105
  postattack recovery and rehabilitation emergencies, 10-3-505
  subjects limited, 5-3-101
  vetoed bills, for reconsideration, 5-4-306; Const., VI, 10
  written requests for, 5-2-103, 5-3-101, 5-3-102; Const., V, 6
    poll of legislators, 5-3-105
Speech or debate subject to question only in legislature, Const., V, 8
State agency review, See **EXECUTIVE BRANCH, Legislative review**
State auditor, information to, 17-1-121
State finance to insure strict accountability, Const., VIII, 12
State General Obligation Bond Act, approval, 17-5-801
State land oil and gas leases, re-leasing terms and conditions, 77-3-407
State parks, acquisition proposals, 23-1-108
State pay plan, See **Statewide classification and pay plan**
State publications library distribution center, 22-1-211 — 22-1-218
State treasurer, information to, 17-1-111
Statewide classification and pay plan
  appropriations
    salary schedules, 2-18-302
    unexpended, transfer, 2-18-106
  equal pay for comparable worth, periodic evaluation, 2-18-209
  number and classes of employees, amendment of determination, 2-18-204
Statutes, See **LAW**
Student interns, See **Interns**
Subcommittees, See **Committees**
Subpoenas, See **Witnesses**
Succession, See **Vacancies**; See also **EMERGENCIES AND EMERGENCY POWERS, Continuity of government; GOVERNOR, Succession**
Sunset law, See **EXECUTIVE BRANCH, Legislative review**
Superintendent of public instruction, student assessment results — summarization to, 20-3-106
Supreme court rules, disapproval, Const., VII, 2
Taxation
  in-kind payment of inheritance and estate taxes, review and approval, 72-16-447, 72-16-448
  multistate tax commission, report from, 15-1-601
  recommended legislation, 15-1-203
  state tax appeal board members, confirmation, 15-2-101
  studies and reports, 2-7-104, 15-1-205, 15-1-601
Term of office of members, 5-2-102, 5-2-401; Const., IV, 8; V, 3
  vacancies in office, term of replacement, 5-2-405 — 5-2-407
Testimony before, See **Witnesses**
Torts, See **GOVERNMENT; TORTS**
Travel expenses, See **Salary and expenses of members**
Treasury funds, interentity loans — extension or repayment terms, authorization, 17-2-107

LEGISLATURE (Continued)

Trust companies, insolvent — approval of depositor's or creditor's claim against state, 32-1-537
Uniform State Laws, Commission on, Title 1, chapter 12, See **LAW**
University system maintenance expenditures and equipment and fixed assets purchase, plan for information to, 17-7-304
Vacancies
- administrative code committee, how filled, 5-14-103
- anticipated, 5-2-407
- appointee
  - anticipated vacancy, 5-2-407
  - political party same as predecessor's, when, 5-2-403
  - term, 5-2-405, 5-2-406
- appointment to fill, 5-2-402, 5-2-407
  - majority vote, failure to achieve — procedure, 5-2-404
- definitions, 5-2-401
- elective offices, how filled, 2-16-504
- emergency succession, See **EMERGENCIES AND EMERGENCY POWERS, Continuity of government**
- environmental quality council, how filled, 5-16-104
- indian affairs, committee on — how filled, 5-19-104
- legislative audit committee, how filled, 5-13-202
- legislative consumer committee, how filled, 5-15-104
- legislative council, how filled, 5-11-103
- legislative finance committee, how filled, 5-12-204
- nominees for legislature, 13-14-118
- revenue oversight committee, how filled, 5-18-104
- senate, election procedures, 5-2-406
- special election to fill, Const., V, 7
- subcommittees, 5-5-212

Vehicle Equipment Safety Commission, approval of rules and codes, 61-2-203
Veto, See **GOVERNOR, Legislature**
Vocational-technical centers
- appropriations, 20-16-202 — 20-16-204, 20-16-207
- designation, direction by, 20-1-101, 20-16-106
- facility maintenance, 20-16-203
- revenue sources, 20-16-202

Voting records, Const., V, 11
Warrant payments directed by, when, 17-8-307
Waste reduction and management, Title 75, chapter 10, part 8, See **SOLID WASTE MANAGEMENT, Integrated waste management**
Wastewater treatment works revolving loan program
- appropriations, 75-5-1106, 75-5-1108
- state debt, creation authorized, 75-5-1122

Water
- adjudication, designation of priority basins or subbasins, 85-2-218
- appropriations
  - change in right, approval, 85-2-402
  - conservation and development, for, 85-1-331
  - missouri river basin reservations, for assistance to applicants, 85-2-331
  - out-of-state use, change in right for, 85-2-402
  - petitions to, 85-2-311
- compacts, ratification, 85-1-223
- development bonds, See **Coal severance tax**, bonds
- fish, wildlife, and parks — department of, lease issuance and renewal, 85-2-436
- ground water appropriation limitations, affirmation of department decision, 85-2-317

LEGISLATURE (Continued)
Water (Continued)

- indian waters, ratification of apportionment compacts, 85-2-702
- state water plan, submission to and revision by, 85-1-203
- storage projects, 85-1-704
- yellowstone river diversions, review, 85-2-803

Water Policy Committee — appointments to, advice, and reports, 85-2-105, See **WATER**
Water Rights Compact Commission, Reserved — appointments to, 2-15-212
Water users' associations, consent to sale or abandonment of water project involved with, 85-6-109
Western Interstate Commission for Higher Education, appointment to, 20-25-806
Western Regional Higher Education Compact, approval, 20-25-801
Winter work committee minutes, use by, 7-16-4309
Witnesses, See also **WITNESSES**, generally

- arrest, 5-5-104
- contempt, 5-5-103
- immunity, 5-5-105
- oaths, 5-5-105, 5-5-201
- perjury, 5-5-105
- refusal to testify, 5-5-103, 5-5-105
- subpoenas
  - issuance, 5-5-101
  - service, 5-5-102
  - sufficiency, 5-5-101

Workers' compensation

- payroll tax, responsibilities, 39-71-2503
- rates, examination and review, 39-71-2362, 39-71-2363

Yellowstone River diversions, review, 85-2-803
Youth court, reports required, 41-3-1004
Youth residential services, information regarding, 41-3-1103
Youth voting program

- purpose and intent, 13-22-102
- report, biennial, 13-22-108

LEMON LAW, Title 61, chapter 4, part 5
See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Warranty on new vehicles**

LETTERS OF CREDIT
See also **UNIFORM COMMERCIAL CODE, GENERAL PROVISIONS**
Account, assignment, 30-5-116
Advice of credit, 30-5-104, 30-5-106, 30-5-107, 30-5-116, 30-9-305
Advising bank, 30-5-103, 30-5-107, 30-5-111, 30-5-117
Agreements, 30-1-102, 30-1-105, 30-1-201, 30-1-209, 30-5-113
Agricultural commodity warehouse operators or dealers, as condition for licensing when, 80-4-502, 80-4-601
Alcoholic beverage license fees, to guarantee, 16-4-402, 16-4-501
Anticipatory repudiation, 30-5-115
Applicability of laws, 30-5-102, 30-5-103

- bank deposits and collections, 30-4-102, 30-4-503
- prior law, 30-1-110, 30-5-102
- secured transactions law, 30-5-116

Assignment of rights, 30-5-111, 30-5-116
Authentication, 30-5-104
Availability of credit, 30-5-110
Beneficiary, 30-5-103

- anticipatory repudiation, 30-5-115
- assignment of rights, 30-5-116

LETTERS OF CREDIT (Continued)
Beneficiary (Continued)

  establishment of credit, 30-5-106
  notation credit, 30-5-108
  portions, use of credit in, 30-5-110
  warranties, 30-5-111
  wrongful dishonor, 30-5-115
Cancellation of credit, 30-5-115
Citation of Uniform Commercial Code, 30-1-101, 30-5-101
Code authentication, 30-5-104
Confirmation, 30-5-104, 30-5-107
Confirming bank, 30-5-103, 30-5-104, 30-5-107, 30-5-111, 30-5-112, 30-5-117
Conflict of laws, 30-1-105
Consent, modification or revocation, 30-5-106
Consideration, 30-5-105
Construction, 30-1-102, 30-1-104, 30-5-103
Contract for sale, 30-1-209, 30-2-106, 30-2-325, 30-5-103
Customer, 30-5-103, 30-5-106, 30-5-107
Damages, wrongful dishonor, 30-5-115
Defects in documents, 30-5-113, 30-5-114
Definitions, 30-1-102, 30-1-201, 30-2-103, 30-2-325, 30-5-103
  acceptance, 30-3-410, 30-5-103
  code, 30-1-101
  draft, 30-3-104, 30-5-103
  holder in due course, 30-3-302, 30-5-103
  midnight deadline, 30-4-104, 30-5-103
  notation credit, 30-5-108
  presenter, 30-5-103, 30-5-112
  security, 30-5-103, 30-8-102
Dishonor, 30-5-112, 30-5-115, 30-5-116, 30-2-325
Documentary drafts, 30-4-503, 30-5-103, 30-5-110 — 30-5-112
Documents related to credit
  adequacy, 30-7-509
  claim to, 30-5-110
  defects, 30-5-113, 30-5-114
  defined, 30-5-103
  dishonor, 30-5-115
  examination, 30-5-109
  insolvency of bank, 30-5-117
  return, 30-5-112
Economic development projects, financing, 17-5-1526, 17-5-1527
Error in advice of credit, 30-5-107
Establishment, 30-5-105 — 30-5-107
Evidence, notation credit, 30-5-108
Examination of documents, 30-5-109
Exclusions from provisions, 30-5-102
Exhaustion of credit, 30-5-108, 30-5-117
Forgery, 30-1-201, 30-5-114
Form, 30-5-104
Fraud, 30-5-114
Gasoline
  distributor's license, security for, 15-70-202
  special fuel, distributor's license — security for, 15-70-341
  special fuel user's permit, security, 15-70-301
Good faith, 30-1-201, 30-1-203, 30-5-108, 30-5-109, 30-5-114
Hazardous substance releases, remedial action sites — liable person's financial assurance, 75-10-719, 75-10-721

LETTERS OF CREDIT (Continued)

Highway revenue bonds, for repayment, 17-5-922
Honor of, 30-1-201, 30-5-108, 30-5-112 — 30-5-114, 30-5-117
Indemnities, 30-5-113
Injunction, honor of draft or documents, 30-5-114
Insolvency of bank, 30-1-201, 30-5-117
Insurers
  reinsurance, security, 33-2-1217
  surplus lines, alien — trust fund, 33-2-307
Interpretation, 30-1-102, 30-5-103
Irrevocable credit, 30-5-103, 30-5-106
Issuer, 30-5-103
  insolvency, 30-5-117
  liability, 30-5-109
  obligation, 30-5-109, 30-5-114
  reimbursement, right to, 30-5-106, 30-5-114
  risks, 30-5-107
  warranties, 30-5-111
  wrongful dishonor, 30-5-115
Loss or destruction, 30-5-109
Messages, credit — risk, 30-5-107
Mining, opencut — reclamation bond, deposit in lieu of, 82-4-433
Modification of terms, 30-5-104 — 30-5-106
Negotiation, indemnity, 30-5-113
Nonconformance, 30-5-110, 30-5-114
Notation credit, 30-5-103, 30-5-108
Notices, 30-1-201, 30-5-106, 30-5-113
Obligation, 30-1-203, 30-1-209, 30-5-107, 30-5-109
Order of payment, 30-5-108
Portions, use of credit in, 30-5-110
Power of attorney, statutory — authority, 72-31-228
Presentment, 30-4-503, 30-5-110, 30-5-111
Priorities, to honor, 30-5-108
Prior law, applicability, 30-1-110, 30-5-102
Reimbursement, 30-5-106, 30-5-113, 30-5-114, 30-5-117
Rejection, time, 30-5-112
Remedies, 30-1-106, 30-1-201, 30-5-115
Repudiation, anticipatory, 30-5-115
Reservation of claim, 30-1-207, 30-5-110
Return of documents, 30-5-112
Revocable credit, 30-5-103, 30-5-106
Revocation, 30-5-106
Risk, 30-5-107
Security interest, 30-1-201, 30-1-209, 30-5-116, 30-9-305
Short titles, 30-1-101, 30-5-101
Signing, 30-1-201, 30-5-104
State procurement contract security, 18-4-312
Subordinated obligations, 30-1-209
Telegram as, 30-1-201, 30-5-104
Transfer of rights, 30-5-116
Transfer, warranties, 30-5-111
Usage of trade, application, 30-1-205, 30-5-109
Variance of law by agreement, 30-1-102, 30-1-105
Warranties, 30-5-108, 30-5-111, 30-5-114
Workers' compensation, security for employer, 39-71-2106
Wrongful dishonor, 30-5-115

LETTERS ROGATORY, Title 25, chapter 20, M.R.Civ.P., Rule 28(b)

LIABILITY
  See **ACTIONS AND PROCEEDINGS**; **CRIMES**, **Accountability**; **NEGLIGENCE**; **REMEDIES**; **TORTS**; specific subject area

LIBERTY OF INDIVIDUAL, Const., Preamble; II, 3
  See also generally **DISCRIMINATION**; **RIGHTS**

LIBRARIES
Blind persons, services for, 22-1-103
Board of Professional Standards and Library Examiners, 22-1-103
Bond issues for, 22-1-304
Bookmobiles, 22-1-301
Buildings, 22-1-304, 22-1-309, 22-1-403
Capital improvements, 22-1-305, 22-1-309
City libraries, See also **Public libraries**, generally
  city council
    election of library trustees, 7-3-4254
    powers, 7-3-4252
    proceedings and financial statement, copies to library, 7-3-4266
  public welfare, director of — management, 7-3-4463
  revenues from, 7-6-4133
City-county libraries, See **Joint city-county libraries**
Commerce, Department of — employee ownership development services, resources, 90-5-305
Community service corps and volunteer projects, 90-14-105
Confidentiality of records, See **Library records confidentiality**
Contracts
  city library assuming functions of county library, 22-1-315
  depository libraries, as, 22-1-214, 22-1-215
  federations, concerning, 22-1-402 — 22-1-404
  joint city-county libraries, concerning, 22-1-316, 22-1-317
  public library board of trustees, authority, 22-1-309, 22-1-315
  services, for, 22-1-103, 22-1-303, 22-1-309, 22-1-403
Definitions, 22-1-211, 22-1-301, 22-1-402, 22-1-1102
Depository libraries, 22-1-212 — 22-1-215
  journals, house and senate — distribution to, 5-11-203
  Montana code annotated, distribution to, 1-11-301
District courts, maintenance, 7-6-2352
Elections
  federations, participating entities — withdrawal, 22-1-402
  public libraries
    establishment, for, 22-1-303
    tax levy, for exceeding maximum, 22-1-304
  trustees when, 7-3-4254
Equipment, See **Property**
Federal funds, 22-1-103, 22-1-306
Federations
  board of trustees
    appointment and composition, 22-1-404
    powers and duties, 22-1-404, 22-1-405
  coordinator, 22-1-404
  creation, 22-1-402
  defined, 22-1-402

LIBRARIES (Continued)
Federations (Continued)

- disagreement between participants concerning funding, resolution, 22-1-405
- establishment, areas designated for, 22-1-103, 22-1-402
- expenses, apportionment, 22-1-402
- funding and appropriations
  - coal severance tax, revenue from, 15-35-108
  - disagreements, resolution, 22-1-405
  - grants, 22-1-331, 22-1-405, 22-1-413
  - participating libraries, 22-1-401, 22-1-402
  - state funds, 22-1-402, 22-1-412, 22-1-413
  - tax levy, 22-1-403
- funds, maintenance, 22-1-402
- grant programs, 22-1-331, 22-1-405, 22-1-413
- headquarters library
  - designation, 22-1-103, 22-1-402
  - librarian, 22-1-404
  - Montana code annotated, distribution to, 1-11-301
- organization, 22-1-401, 22-1-402
- participation in, 22-1-402, 22-1-403
- property, 22-1-403
- purpose and policy of state, 22-1-401
- regents of higher education, board of — contracts with, 22-1-403
- reports, 22-1-413
- tax levy for, 22-1-403
- withdrawal from, 22-1-402

Fire protection and safety regulations, 50-61-103, See **FIRES AND FIRE PROTECTION**, generally
Forest and Conservation Experiment Station, Montana — purpose, 20-25-242
Free public libraries, See **Public libraries**
Funding

- administration, 22-1-103
- appropriations, 22-1-103, 22-1-306, 22-1-326, 22-1-412, 22-1-413
- city library assuming functions of county library, 22-1-315
- coal severance tax, allocation of revenue, 15-35-108
- contracts for services, 22-1-309
- federal, 22-1-103, 22-1-306
- federations, 15-35-108, 22-1-331, 22-1-401, 22-1-402, 22-1-405, 22-1-412, 22-1-413
- private, 22-1-103, 22-1-306
- public libraries, 22-1-302, 22-1-304, 22-1-306, 22-1-309
- state, 22-1-103
  - federations, 15-35-108, 22-1-331, 22-1-401, 22-1-402, 22-1-405, 22-1-412, 22-1-413
  - public libraries, 22-1-326 — 22-1-328, 22-1-330, 22-1-331
- state library commission, authority, 15-35-108, 22-1-103, 22-1-326 — 22-1-328, 22-1-330, 22-1-331, 22-1-405, 22-1-412, 22-1-413
- tax levies for, 7-11-1112, 22-1-304, 22-1-316, 22-1-403
  - state aid, distribution withheld when, 22-1-326

Gifts, 7-16-2321, 22-1-309
Grants

- depreciation reserve fund, public and private grant funds, 22-1-306
- federal funds, 22-1-103
- federations, 22-1-331, 22-1-405, 22-1-413
- property, of, 7-16-2321, 22-1-103, 22-1-309
- public libraries, 22-1-306, 22-1-309, 22-1-327, 22-1-331
- public library board of trustees, acceptance, 22-1-309
- state library commission, authority, 22-1-103, 22-1-327, 22-1-331, 22-1-405, 22-1-413

Handicapped persons, services for, 22-1-103

LIBRARIES (Continued)

Historical library, 22-3-101 — 22-3-103, 22-3-107, 22-3-110, See also **HISTORICAL SOCIETY**, generally
Information Access Montana Act, 22-1-325 — 22-1-331
Insurer's financial condition, assets not allowed in determination, 33-2-502
Interlibrary loan service
    reimbursements, 22-1-328, 22-1-330
    state library, 22-1-213
Interstate Library Compact
    administrator, 22-1-602
    text, 22-1-601
Joint city-county libraries
    board of trustees, 22-1-317
    depreciation reserve fund, 22-1-305 — 22-1-307
    establishment and operation, 22-1-316
    federations, participation in, See **Federations**
    property and capital improvements, 22-1-305
    tax levy for, 22-1-316
Law libraries
    state, See **LAW LIBRARY**
    university of Montana, 2-4-313, 3-2-604
Leases, 7-16-2321, 22-1-309
Library Commission, See **State Library Commission**
Library records confidentiality
    citation of Montana library records confidentiality act, 22-1-1101
    definitions, 22-1-1102
    nondisclosure of records and exceptions, 22-1-1103
    penalty for violations, 22-1-1111
    written request and consent for disclosure, 22-1-1103
Library systems, See **Depository libraries**; **Federations**; **Public libraries**
Mines and Geology, Bureau of — purpose, 20-25-212
Motor vehicles, gross vehicle weight fee exemption, 61-10-214
Multilibrary card, state, 22-1-301, 22-1-329, 22-1-330
Municipal commission government
    council proceedings and financial statement, copies to libraries, 7-3-4266
    library trustees, 7-3-4252, 7-3-4254
Municipal commission-manager government, duties of director of public welfare, 7-3-4463
Networks, See also **Federations**
    defined, 22-1-402
    funding, 15-35-108
Obscene material, display or dissemination to minors — nonapplicability of provisions when, 45-8-206
Park Commissioners, County Board of — powers, 7-16-2321, 7-16-2327
Printing provisions in public contract law, nonapplicability, 18-4-123
Property
    bond issues for, 22-1-304
    depreciation reserve fund, 22-1-305
    federations, 22-1-403
    gifts, 7-16-2321, 22-1-309
    grants, 7-16-2321, 22-1-103, 22-1-309
    joint city-county libraries, 22-1-316
    leases, 7-16-2321, 22-1-309
    park commissioners, county board of — authority, 7-16-2321, 7-16-2327
    public library board of trustees, authority, 22-1-309
    tax exemptions, 15-6-201, 15-6-203, 22-1-313; Const., VIII, 5

LIBRARIES (Continued)

Public libraries
- administration, 22-1-302, 22-1-314, 22-1-405
- appropriations for, 22-1-306, 22-1-326, 22-1-412, 22-1-413
- board of trustees
  - annual report, 22-1-309
  - appointment, 22-1-308
  - branch libraries, establishment, 22-1-309
  - budgets, 7-6-2348, 7-6-4259, 22-1-309, 22-1-405
  - buildings, authority, 22-1-309
  - bylaws, 22-1-309
  - central public library, establishment, 22-1-309
  - chief librarian as secretary, 22-1-310
  - city library assuming functions of county library, 22-1-315
  - composition, 22-1-308
  - contracts, authority, 22-1-309, 22-1-315
  - employees, duties concerning, 22-1-310
  - expenses, 22-1-308
    - library staff, 22-1-309
  - federations, responsibilities, 22-1-402 — 22-1-405
  - financial statement, 22-1-309
  - gifts, grants, donations, devises, or bequests — authority, 22-1-309
  - merger or cooperation with other agency boards, 22-1-312
  - officers, 22-1-308
  - powers and duties, 22-1-309
  - property, authority, 22-1-309
  - public library fund, authority, 22-1-304, 22-1-309
  - records, 22-1-309
  - rulemaking authority, 22-1-309, 22-1-311
  - term of members and officers, 22-1-308
  - use and privileges, regulations, 22-1-309, 22-1-311
  - vacancies, how filled, 22-1-308
- bond issues authorized, 22-1-304
- bookmobiles, 22-1-301
- branch facilities, 22-1-301, 22-1-309
- budgets, 7-6-2348, 7-6-4259, 22-1-309, 22-1-405
- buildings, 22-1-304, 22-1-309
- capital improvements, 22-1-305, 22-1-309
- central facilities, 22-1-301, 22-1-309
- central public library, establishment, 22-1-309
- city libraries, See also **City libraries**
  - county library, functions assumed by, 22-1-315
  - county system, not part of — when, 22-1-313
- contracts for services, 22-1-303, 22-1-309
- cooperation or merger of authorities, 22-1-312, 22-1-315
- county free library fund, 22-1-315
- creation, 22-1-103, 22-1-302, 22-1-303; Const., X, 1
- definitions, 22-1-301
- depository library contracts, 22-1-214, 22-1-215
- depreciation reserve fund
  - authorization and purpose, 22-1-305
  - investment, 22-1-307
  - money for, 22-1-306
- donations, 22-1-309
- elections
  - establishment, for, 22-1-303

LIBRARIES (Continued)
Public libraries (Continued)
  elections (Continued)
    tax levy, for exceeding maximum, 22-1-304
  establishment, 22-1-103, 22-1-302, 22-1-303; Const., X, 1
  federal funding, 22-1-306
  federations, See **Federations**
  financial statements, 22-1-309
  funding, See also **Funding**
    contracts for services, 22-1-309
    depreciation reserve fund, 22-1-306
    generally, 22-1-302
    public library fund, 22-1-304, 22-1-309
    state aid, 22-1-326 — 22-1-328, 22-1-330, 22-1-331
  gifts, 22-1-309
  grants, 22-1-306, 22-1-309, 22-1-327, 22-1-331
  information access Montana act, 22-1-325 — 22-1-331
  interlibrary loan reimbursements, 22-1-328, 22-1-330
  interlocal agreements, 7-11-1102, 7-11-1111, 7-11-1112, See **INTERLOCAL COOPERATION, Multijurisdictional service districts**, generally
  joint city-county libraries, See **Joint city-county libraries**
  leases, 22-1-309
  librarian and personnel
    appointment, compensation, and duties generally, 22-1-309, 22-1-310
    certification, 22-1-103
  merger or cooperation of authorities, 22-1-312, 22-1-315
  petitions
    establishment, for, 22-1-303
    tax levy, for exceeding maximum, 22-1-304
  preexisting, continuation, 22-1-314
  privileges and use, regulations, 22-1-309, 22-1-311
  property, 22-1-304, 22-1-305, 22-1-309
  public library fund
    establishment, 22-1-304
    expenditure, control, 22-1-309
  purchase of supplies, price discrimination provisions — nonapplicability, 30-14-902
  purpose of provisions, 22-1-302
  records, 22-1-309, See also **Library records confidentiality**
  resolutions
    establishment, for, 22-1-303
    tax levy, for exceeding maximum, 22-1-304
  rules, 22-1-309
    violation, effect, 22-1-311
  service districts, 7-11-1102, 7-11-1111, 7-11-1112, See **INTERLOCAL COOPERATION, Multijurisdictional service districts**, generally
  standards, 22-1-103
  state aid, 22-1-326 — 22-1-328, 22-1-330, 22-1-331
  state library commission, assistance and advice, 22-1-103
  tax levy for, 22-1-304, See also **Taxation**
    state aid, distribution withheld when, 22-1-326
  telecommunications network (METNET), 20-9-343, 20-32-101 — 20-32-104
  use and privileges, regulations, 22-1-309, 22-1-311
Realty Regulation, Board of — assistance for educational programs for real estate business, 37-51-204
Records, confidentiality, See **Library records confidentiality**
Regions, See **Federations**
Schools, See **SCHOOLS**

LIBRARIES (Continued)

Service districts, 7-11-1102, 7-11-1111, 7-11-1112, See **INTERLOCAL COOPERATION, Multijurisdictional service districts**, generally
Smoking in, prohibited, 50-40-105, 50-40-204
State Law Library, See **LAW LIBRARY**
State Library
  administrative rules and register, copy distributed to, 2-4-313
  authorization, 22-1-201
  city council proceedings and financial statement, copies to, 7-3-4266
  journals, house and senate — copies to, 5-11-203
  local government study commissions, copy of final report to, 7-3-187
  location, 22-1-201
  maintenance and operation, 22-1-103, 22-1-201
  natural resource data system advisory committee, employee appointed to, 2-15-1514
  natural resource information system and heritage program, authority, Title 90, chapter 15
  publications library distribution center, See **State publications library distribution center**
  public libraries, contracts with and report, 22-1-309
  rules, 22-1-103
  session laws, copies to, 5-11-203
  standards, 22-1-103
  state library commission, powers, 22-1-103
  supreme court decision reports to, 3-2-604
State Library Commission
  allocation, 2-15-1511
  appointments to, 2-15-1514, 22-1-101
  budget requests, 2-15-1511
  chairman, 22-1-101
  compensation, 2-15-1514, 22-1-101
  composition and qualifications, 2-15-1514, 22-1-101
  creation, 2-15-1514, 22-1-101
  defined, 22-1-301
  depository library contract requirements established by, 22-1-214
  employees, 22-1-102
  executive officer, 22-1-102, 22-1-602
  federations
    areas, designation, 22-1-103, 22-1-402
    funding, appropriations and apportionment, 15-35-108, 22-1-405, 22-1-412, 22-1-413
    headquarters library, designation, 22-1-103, 22-1-402
  funding, authority, 15-35-108, 22-1-103, 22-1-326 — 22-1-328, 22-1-330, 22-1-331, 22-1-405, 22-1-412, 22-1-413
  governance and management, 2-15-1511
  grants, authority, 22-1-103, 22-1-327, 22-1-331, 22-1-405, 22-1-413
  interlibrary loan reimbursements, 22-1-328, 22-1-330
  interstate library compact, administration, 22-1-602
  librarian and assistants, 22-1-102, 22-1-212, 22-1-214, 22-1-602
  natural resource data system advisory committee, 2-15-1514, See also **NATURAL RESOURCES**
  powers, 22-1-103
  publications library distribution center, rules for, 22-1-212
  public libraries, state aid — administration and distribution, 22-1-326 — 22-1-328, 22-1-330, 22-1-331
  rulemaking authority, 22-1-103, 22-1-212, 22-1-328, 22-1-330, 22-1-413
  state library, maintenance and operation, 22-1-103, 22-1-201
  state multilibrary card program, 22-1-329, 22-1-330
  term of office, 2-15-1514, 22-1-101

LIBRARIES (Continued)
State Library Commission (Continued)

- travel expenses, 22-1-101, 22-1-102

State multilibrary card, 22-1-301, 22-1-329, 22-1-330
State publications library distribution center

- creation and purpose, 22-1-212
- definitions, 22-1-211
- depository libraries
  - eligibility, 22-1-214
  - establishment, promotion, 22-1-212
  - publications
    - available, list of, 22-1-215
    - deposit requirements, 22-1-213
- exempted agencies and officers, 22-1-218
- interlibrary loan service, 22-1-213
- publications
  - deposit requirements, 22-1-213
  - lists of
    - available publications from center, 22-1-215
    - current publications and exchange lists from agencies, 22-1-216
    - public distribution prohibited, 22-1-217
  - public distribution prohibited, 22-1-217
  - sale of, 22-1-213
- rules, 22-1-212

State visual, aural, and other educational media library, 20-2-121, 20-3-106, 20-7-201, See also **SUPERINTENDENT OF PUBLIC INSTRUCTION, Educational media**
Taxation

- exemptions, 15-6-201, 15-6-203, 22-1-313; Const., VIII, 5
- levies for, 7-11-1112, 22-1-304, 22-1-316, 22-1-326, 22-1-403

University system, 20-25-302, 22-1-214, 22-1-215, 22-1-328, 22-1-403, 22-3-211
Veterans' clubhouses, tax exemption, 15-6-203

LICENSING COORDINATION ACT, SMALL BUSINESS, Title 30, chapter 16
See **TRADE REGULATION AND COMPETITION, Small business licensing coordination**

LIENS
See also generally **ATTACHMENT OF PROPERTY; DEBTS, DEBTORS, AND CREDITORS; SECURED TRANSACTIONS**
Accessions, 30-9-314
Accessory to obligation, 71-3-119
Acknowledgment of satisfaction, penalty for failure to acknowledge, 71-3-131, See also specific lien
After acquired interests, 71-3-105
Agents' liens as factors' liens, 71-3-1501
Agisters' liens, 71-3-1201

- airports, state — repair or storage of personal property, 67-2-302
- enforcement, 71-3-1203
- forcible or fraudulent taking of property, 71-3-1204
- priority, 71-3-1202
- sale, 71-3-1203

Agreements

- creation of lien by, 71-3-104
- future interest, 71-3-105

Agricultural associations

- creation by, 35-16-401, 35-16-402, 35-16-404 — 35-16-406
- member withdrawal, effect, 35-16-303, 35-16-304

Agricultural loan authority program, pledge — lien of, 80-12-308

LIENS (Continued)

Agricultural commodities, producer's, 80-4-420
Agricultural marketing associations, marketing agreements — lien does not arise, 35-17-407
Agriculture
  agisters' liens, Title 71, chapter 3, part 12
  centralized filing, See **SECURED TRANSACTIONS, Filing of financial statement,** computerized system for agricultural liens
  crop dusting, liens for, Title 71, chapter 3, part 9
  farm laborers' liens, Title 71, chapter 3, part 4
  hail insurance, Title 71, chapter 3, part 7; Title 80, chapter 2, part 2
  loggers' liens, Title 71, chapter 3, part 6
  rollback tax liens, release, 15-7-209
  seed and grain, lien for, Title 71, chapter 3, part 7
  statement of lien, filing and fee, 71-3-125
  threshers' liens, Title 71, chapter 3, part 8
Agriculture, Department of, 80-2-104, 80-12-201
Airports, municipal — maintenance of property, 67-10-403
Alcoholic beverage license subject to, when, 16-4-204, 16-4-403, 16-4-404
Animals, Title 71, chapter 3, part 12
Architects' or artisans' liens, Title 71, chapter 3, part 5
Attachment
  lien created by, 27-18-307
  not permitted when, 27-18-101
Attorneys' fees
  construction liens, 71-3-551
  foreclosure, 25-10-302, 71-3-124
  judgment lien for, 37-61-420
  salaries and wages, liens for, 71-3-305
Attorneys' lien for compensation, 37-61-402, 71-3-1114, See also **JUDGMENTS AND DECREES, Lien of judgment**
Baggage
  passenger carriers, lien when, 69-11-206
  unclaimed, for storage, 70-9-501, 70-9-502
Bail, when real property given as, 46-9-403, 46-9-502
Banks and trust companies
  bankers' liens, 71-3-1502
  documentary draft, lien upon goods, 30-4-504
  liquidating agents and attorneys, compensation as lien on assets, 32-1-518
  minors' deposits, 32-1-444
Beer
  brewers, importers, or wholesalers — financial interest in retailers when, 16-3-242
  tax, lien for nonpayment, 16-1-409
Boats, 23-2-502, 23-2-508, 23-2-510, 23-2-512, 30-9-203, 30-9-302
Borrower, holder of lien as, 71-3-112
Builders' liens, Title 71, chapter 3, part 5
Building and loan associations, minors' savings accounts free from lien when, 32-2-418
Carriers' liens
  enforcement, 30-7-210, 30-7-308
  entitlement, 30-7-307
  satisfaction, 30-7-308, 30-7-403
Child support, 40-5-242
  administrative orders, effect, 40-5-227
  distraint, warrant for, 40-5-247, 40-5-248
  lottery winnings, 23-7-312
Chiropractors' liens, Title 71, chapter 3, part 11

LIENS (Continued)

Cities and towns
  construction costs of sidewalks, curbs, and gutters, 7-14-4122
  jurisdiction of city court, 3-11-103
  refunding revenue bonds, lien of, 7-7-4622, 7-7-4629
    enterprise revenues, on, 7-7-4623, 7-7-4629, 7-7-4632
  revenue bonds, arising from, 7-7-4431
  smoke abatement tax levies, 7-31-116
Combine harvesters, entitlement, Title 71, chapter 3, part 8
Commencement of lien, 30-9-501, 71-3-103 — 71-3-105, See also specific lien
Community decay ordinances, costs of abating violations, 7-5-2111
Compensation, holders' entitlement, 71-3-112
Condominiums, See **CONDOMINIUMS, Liens and encumbrances**
Conservation districts, 76-15-501, 76-15-528, 76-15-810
Construction liens
  amount, 71-3-526
  attachment, 71-3-521, 71-3-535, 71-3-541, 71-3-542
  bonds, substitution of, 71-3-551 — 71-3-553
  completion of work, what constitutes, 71-3-533
  definitions, 71-3-522
  discharge, 71-3-552
  extent, 71-3-525
  filings, 7-4-2619, 71-3-531, 71-3-533 — 71-3-535, 71-3-542, 71-3-552
  foreclosure, 25-10-302, 71-3-124, 71-3-541, 71-3-542, 71-3-551, 71-3-553
  homestead, execution on, 70-32-202, 70-32-221
  index, 7-4-2619
  limitations, 71-3-523, 71-3-524
  notice of completion, 71-3-533, 71-3-535
  notice of lien, 71-3-535, 71-3-536, 71-3-541
  notice of right to claim, 71-3-531, 71-3-532, 71-3-535
  notice to property owner, 7-4-2619, 71-3-534, 71-3-535
  oil and gas operators' liens, enforcement as, 82-11-212
  parties, 71-3-561
  priority, 71-3-541, 71-3-542, 72-16-479
  rules of civil procedure, applicability, 71-3-563
  satisfaction, 71-3-525, 71-3-537, 71-3-542
  scope of provisions, 71-3-521
  statutes of limitations, 71-3-553, 71-3-562
  who may claim, 71-3-523, 71-3-531
Consumer counsel fee, penalty and interest as, 69-1-227
Contract of a lien, 71-3-102, 71-3-104, 71-3-109
Contractors, public — liens for labor and materials, Title 71, chapter 3, part 5
Conveyance, defined as, 70-21-301
Counties
  fire service area assessments, 7-33-2404
  licenses, arising from, 7-21-2104
  revenue bonds, arising from, 7-7-2501
  road improvement districts, See **COUNTY ROAD IMPROVEMENT DISTRICTS**
  smoke abatement tax levies, 7-31-116
  water and/or sewer districts
    powers, 7-13-2221
    taxes to be, 7-13-2310
Creation of lien, 30-9-501, 71-3-102, 71-3-105, 71-3-111, 71-3-113
Creditor, enforcement of lien, 71-3-110
Credit unions, lien on members' shares when, 32-3-507

LIENS (Continued)

Crime victims
  judgment or recovery by claimant, lien of division of crime control, 53-9-132
  reparation benefits, exemption, 53-9-129
Crop dusting, liens for, 71-3-901
  acknowledgment of satisfaction, 71-3-908
  discharge, 71-3-908
  obtained, how, 71-3-902
  owner defined, 71-3-905
  parties, 71-3-906
  priority, 71-3-904
  rules of civil procedure, applicability, 71-3-909
  security, 71-3-901
  statement of lien, filing and fee, 71-3-125, 71-3-902
  statute of limitation, 71-3-907
Cropland spraying programs, delinquent assessments as, 80-7-505
Crop liens
  crop dusting, Title 71, chapter 3, part 9
  farm laborers, Title 71, chapter 3, part 4
  hail insurance, Title 71, chapter 3, part 7; Title 80, chapter 2, part 2
  seed and grain, Title 71, chapter 3, part 7
  threshers, Title 71, chapter 3, part 8
Custom combiners, liens of, Title 71, chapter 3, part 8
Dams and reservoirs
  emergency repairs or breaching costs, 85-15-215
  inspection costs, 85-15-214
Definitions, 71-3-101
  construction lien provisions, 71-3-522
  lien, 1-1-205, 30-2A-103, 31-2-328, 71-3-101
  lienholder, 23-2-502, 30-1-201, 30-9-301
  lumber, 71-3-601
  oil and gas wells and pipelines, laborer's and materialmen's lien provisions, 71-3-1001
Delay in performance of obligation, 71-3-116
Dentists' liens, Title 71, chapter 3, part 11
Depositary, effect of lien of, 70-6-211, See also **Storage**
Discharge, See also specific lien
  accessory to obligation, lien as, 71-3-119
  delivery ex ship, 30-2-322
  failure to acknowledge, penalty, 71-3-131
  partial performance, effect, 71-3-120
  prior liens, 71-3-107
  redemption upon execution, for, 25-13-802, 25-13-803, 25-13-806, 25-13-809
  restoration, effect, 71-3-123
  sale, 30-9-504, 71-3-121
  security restored, 71-3-123
  statute of limitation, 71-3-122
  wrongful conversion, 71-3-121
Distraint, warrant for — as, 15-1-701, 15-1-708, 16-1-409, 40-5-247, 40-5-248, See also **CHILD SUPPORT**, **Duty of support**
Divisible property, 71-3-120
Doctors' liens, Title 71, chapter 3, part 11
Documents of title, effect, See **DOCUMENTS OF TITLE**
Door-to-door sales, lien of buyer on goods, 30-14-506
Drainage districts
  bond issues, lien of bonds, 85-8-503
  construction costs, for, 85-8-612

LIENS (Continued)
Drainage districts (Continued)
  damages, payment when lien against property, 85-8-364
  preliminary report on proposed work, costs on dismissal, 85-8-350
  taxes and assessments, lien of, 85-8-612, 85-8-619
Enforcement, 71-3-101, 71-3-107, 71-3-110, See also specific lien
Engineers' liens, Title 71, chapter 3, part 5
Estates and probate, See **ESTATES AND PROBATE**
Exclusive liens, order of resort, 71-3-115
Expenses, holder's entitlement, 71-3-112
Extent, 71-3-106, See also specific lien
Extinguishment, See **Discharge**
Factors' liens, 30-9-102, 71-3-1501
Farm laborers' liens, 71-3-401, See also **Agisters' liens; Crop dusting, liens for; Salaries and wages, liens for; Seed and grain, crop liens for; Threshers' liens**
  acknowledgment of satisfaction, 71-3-408
  fees, 25-10-302, 71-3-124
  foreclosure, 25-10-302, 71-3-124, 71-3-401, 71-3-404, 71-3-405
  notice of foreclosure, 71-3-404
  obtained, how, 71-3-402
  parties, 71-3-407
  priority, 71-3-401, 71-3-904
  rules of civil procedure, 71-3-406
  statement of lien, filing and fee, 71-3-125, 71-3-402
  statute of limitation, 71-3-405
Federal liens
  certification, 71-3-203
  citation of uniform federal lien registration act, 71-3-201
  fees, 71-3-206
  filing, 71-3-203 — 71-3-207
  notice of claim, 71-3-203 — 71-3-207
  prior filing, 71-3-207
  uniformity of interpretation, 71-3-202
Fees
  attorneys', 25-10-302, 37-61-420, 71-3-124, 71-3-305, 71-3-551
  county clerk and recorder, 7-4-2631
  federal liens, 71-3-206
  foreclosure, 25-1-201, 25-10-101, 25-10-102, 25-10-302, 71-3-124
Fire hazards, demolition of structure — salvage sale, expense account, and payment of surplus, 50-62-107
Foreclosure, 71-3-117, See also specific lien
  costs, 25-1-201, 25-10-101, 25-10-102, 25-10-302, 71-3-124
  documentary draft, lien upon goods, 30-4-504
  execution exemptions which are inapplicable, 25-13-613
  forest fire protection, amount due, 76-13-211
  hazardous or deleterious substance, release by facility — acquisition and liability of facility, 75-10-701, 75-10-715
  livestock
    disease control expenses, 81-2-109
    grazing districts, for payment of damage caused by, 76-16-311
    quarantine expenses, 81-2-705
  mortgage upon levied property, 71-1-222
  motor vehicle financial responsibility bonds, sureties on, 61-6-137
  oil and gas production damage mitigation account, lien for expenditures from, 82-11-164
  partial, 71-1-226
  renewable resource grant and loan projects, lien on, 85-1-615
  service of process by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D

LIENS (Continued)
Foreclosure (Continued)

- unknown parties defendant, 25-3-504
- venue, 25-2-123

Forest fire hazard reduction or management
- costs and expenses as, 76-13-410
- purchaser of forest products, failure to submit withheld money, 76-13-413

Forest fire protection amount as, 76-13-211
Forfeiture of property, contract void, 71-3-109
Fraudulent, Title 31, chapter 2, part 3
Freight carriers, for freightage, 69-11-410, 69-11-411
Frozen food lockerman's liens, 71-3-1505
Future interests, 71-3-105
Future obligation, 71-3-103, 71-3-104
Gambling premises and devices, on — when, 23-5-136
Gas and oil wells, liens on, Title 71, chapter 3, part 10
General liens, 71-3-101
General provisions, Title 71, chapter 3, part 1
Grain, liens on
- agisters' liens, Title 71, chapter 3, part 12
- crop dusting, liens for, Title 71, chapter 3, part 9
- farm laborers' liens, Title 71, chapter 3, part 4
- fees and charges for inspection, grading, weighing, and protein testing, 80-4-721
- hail insurance, Title 71, chapter 3, part 7; Title 80, chapter 2, part 2
- seed and grain, Title 71, chapter 3, part 7
- terminal warehouse, grain held in not subject to, 80-4-530
- threshers' liens, Title 71, chapter 3, part 8

Grazing districts, security for payment of livestock damage, 76-16-311
Guaranty, consideration releases property from lien, 28-11-105
Hail insurance, liens for crop protection, 71-3-711 — 71-3-713
- creation, 80-2-226
- foreclosure, 80-2-231
- insurance secured by, 80-2-207, 80-2-227
- priority, 71-3-711, 71-3-904
- real estate, creation, 80-2-225
- satisfaction, 71-3-713, 80-2-230
- statement of lien, filing and fee, 71-3-125, 71-3-712

Hazardous or deleterious substance, remedial action upon release
- costs, damages, and penalties to constitute lien, 75-10-720
- release by facility, acquisition and liability of facility, 75-10-701, 75-10-715

Health maintenance organizations, examination charges and expenses as lien when, 33-31-401
Herd districts, trespassing animals — security for damages, 81-4-307
Herders' liens, Title 71, chapter 3, part 12
Highway revenues
- bonds, lien upon funds, 17-5-911
- pledge of, as, 17-5-912

Horse herd districts, wrongful entry of horses — security for damages, 81-4-326
Hospital liens, Title 71, chapter 3, part 11
Hotel liens, See also **Agisters' liens**
- accommodations, for, 71-3-1401 — 71-3-1403
- unclaimed baggage and personal property, for storage, 70-9-501, 70-9-502

Housing authorities, municipal, See **HOUSING AUTHORITIES, MUNICIPAL**
Human remains, unlawful upon, 35-21-703
Inferior lienor, rights, 71-3-118
Injunctions, removal of secured property, 71-3-1010
Innkeepers' liens, 70-9-501, 70-9-502; Title 71, chapter 3, parts 12 and 14

LIENS (Continued)

Insurance code violations, nonpayment of fines — amount of fine as lien, 33-1-318
Insurance guaranty associations, on contracts and policies when, 33-10-220
Insurers
  domestic mutual, to secure unpaid assessments, 33-3-412
  examination expenses, as — when, 33-1-413
  fines, nonpayment — amount of fine as lien, 33-1-318
  investments, security for, 33-2-831
  rehabilitation and liquidation, during, See **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
Interests, future, 71-3-105
Investments, Board of
  judgment constitutes, when, 17-5-1648
  pledge, lien of, 17-5-1528, 17-5-1622
Irrigation districts
  bonds, lien of, 85-7-1433, 85-7-2021, 85-7-2112, 85-7-2114
  creation, consent of lienholder, 85-7-101
  state, lien of contract amounts owed to, 85-7-1973
  tax lien
    attaches when, 85-7-2108
    debenture certificate, lien vests in purchaser of, 85-7-2153
    entitlement, 85-7-2108, 85-7-2114
    nonirrigable lands, 85-7-2110
    property subject to, 85-7-2108, 85-7-2110, 85-7-2114
  undertakings, on, 85-7-1415, 85-7-1417
  united states, lien of contract amounts owed to, 85-7-1953, 85-7-2021
Issuers' liens, 30-8-103, 30-8-317
Judgment liens, See **JUDGMENTS AND DECREES, Lien of judgment**
Labor, liens for
  construction, Title 71, chapter 3, part 5
  farm laborers, Title 71, chapter 3, part 4
  loggers, Title 71, chapter 3, part 6
  oil and gas wells and pipelines, laborers on, Title 71, chapter 3, part 10
  physicians, nurses, physical therapists, occupational therapists, chiropractors, dentists, and hospitals, Title 71, chapter 3, part 11
  salaries and wages, Title 71, chapter 3, part 3
  threshers, Title 71, chapter 3, part 8
Land division created as security for, subdivision exemption provision, 76-3-201
Landlords' liens, 30-9-104, 71-3-1401 — 71-3-1403
Lease transactions, Title 30, chapter 2A
Letters of credit, reservation of claim, 30-5-110
Lienholder, 30-1-201, 30-9-301, See also specific lien
  compensation, 71-3-112
  creditor, as, 30-1-201
  enforcement of lien, 71-3-101, 71-3-107, 71-3-110
  extent of lien, 71-3-106
  extinction of lien, 71-3-121 — 71-3-123
  general lien, 71-3-101
  inferior, 71-3-118
  limitations, 71-3-106
  order of resort, 71-3-115
  partition, See **PARTITION**
  priority, 30-9-301
  prior lien, 71-3-107
  purchaser, rights as, 30-2-403
  redemption by, 71-3-116 — 71-3-118, 71-3-123

LIENS (Continued)
Lienholder (Continued)

- restoration of property by, 71-3-123
- rights, when inferior, 71-3-118
- special lien, 71-3-101, 71-3-107

Limitations, 71-3-106, See also specific lien
Limitations of actions, 71-3-122, See also specific lien
Limited liability company, lien against membership interest — effect, 35-8-704
Livestock, on, See also **Agisters' liens**

- disease control expenses and foreclosure, 81-2-109
- herd districts, trespassing animals — security for damages, 81-4-307
- horse herd districts, wrongful entry of horses — security for damages, 81-4-326
- quarantine expenses and foreclosure, 81-2-705
- sheep, license fees upon, 81-7-303
- stolen, vehicles used to transport — payment of liens concerning, 81-5-111

Loggers' liens, 71-3-601

- defects in statement of demand, 71-3-607
- duration, 71-3-604
- enforcement, 71-3-611
- execution, 71-3-614, 71-3-615
- extent, 71-3-603, 71-3-611
- filing, 71-3-605 — 71-3-608
- forms, 71-3-605
- identification of property, 71-3-616
- judgment, 71-3-614 — 71-3-616
- landowners, 71-3-601, 71-3-603, 71-3-606
- "lumber" defined, 71-3-601
- obtained, how, 71-3-605, 71-3-606
- parties, 71-3-608, 71-3-611, 71-3-613, 71-3-616
- priority, 71-3-602, 71-3-611
- purchaser, requirements, 71-3-612
- sale, 71-3-614, 71-3-615

Lottery winnings, on, 23-7-312
Materialmen's liens, Title 71, chapter 3, parts 5 and 10
Materials furnished, liens for, See also **Priority**

- agisters' liens, 71-3-1201
- construction liens, Title 71, chapter 3, part 5
- crop dusting, liens for, 71-3-901
- crop liens, 71-3-701
- oil and gas wells and pipelines, laborers' and materialmen's liens on, 71-3-1001, 71-3-1002
- priority, 30-2A-306, 30-9-310
- uniform commercial code inapplicable, 30-9-104

Mechanics' liens, Title 71, chapter 3, part 5, See also **Salaries and wages, liens for**
Medicaid payments, limitations, 53-2-612, 53-6-143
Metropolitan sanitary and/or storm sewer districts

- assessments as, 7-13-128
- reserve fund, loans from — as, 7-13-154

Microbusiness development loans, security, 17-6-407
Mines and mining, See **MINES AND MINING**
Minors

- banks and trust companies, deposits in, 32-1-444
- building and loan associations, minors' savings accounts free from lien when, 32-2-418

Mint and mint oil, 80-11-402, 80-11-412 — 80-11-414
Mobile homes, lienholders

- delinquent taxes
  - chargeable to, limit, 15-24-209
  - notice, 15-24-202, 15-24-206

LIENS (Continued)
Mobile homes, lienholders (Continued)

sale, impending — notice, 15-24-210
Mortgages, See also **MORTGAGES**, generally
  foreclosure, judgment lien, 71-1-222
  lien, as, 71-1-103
  priority, 71-1-205, 71-1-206, 71-3-114, 71-3-542
  reverse annuity mortgage loans, eligibility, 90-6-503, See **HOUSING, Reverse annuity mortgage loan program**
Mosquito control district, fees on structures, 7-22-2432
Motorboats, 23-2-502, 23-2-508, 23-2-510, 23-2-512, 30-9-203, 30-9-302
Motor carrier compensation, fees, or charges — as, 69-12-422
Motor vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Security interests**
Museums, on property loaned to, 22-3-508
Mustard seed, inspection and weighing fees as, 80-4-307
Negotiable instrument, issuance or transfer for value, 30-3-303
Notice of claim or sale — funds transfers, creditor process, 30-4A-502, See also specific lien
Nursery stock, infected — removal costs as, 80-7-110
Nurses' liens, Title 71, chapter 3, part 11
Obligations, See also specific lien
  accessory to, 71-3-119
  application of performance, 28-1-1106
  creditor, enforcement by, 71-3-110
  limitations, 71-3-106
  partial performance, 71-3-120
  personal, 71-3-111
Occupational therapists' liens, Title 71, chapter 3, part 11
Off-highway vehicles, 23-2-811, 23-2-812
Officers' liens, 71-3-1503
Oil and gas operators' liens, 82-11-212
Oil and gas production damage mitigation account, for expenditures from, 82-11-164
Oil and gas wells and pipelines, laborers' and materialmen's liens on
  commencement when, 71-3-1006
  definitions, 71-3-1001
  enforcement, 71-3-1005
  fee interest, effect on interest which is less than, 71-3-1012
  labor and materials furnished for use on leasehold, 71-3-1002
  labor or supplies furnished for contractor, 71-3-1003
  liability fixed, 71-3-1009, 71-3-1011
  perfecting, 71-3-1004
  priority, 71-3-1007, 82-11-212
  purchaser of oil and gas, notice to, 71-3-1011
  removal of property, 71-3-1010
  running account as single contract, 71-3-1008
Operation of law, creation of lien, 30-2A-306, 30-9-310, 71-3-102, 71-3-103
Order of resort, 30-9-301, 71-3-115
Original agreement, extent, 71-3-106
Parking commissions, 7-14-4635, 7-14-4656, 7-14-4666
Parking improvement district assessments as, 7-14-4721
Partial performance of obligation, 71-3-120
Partition, effect, See **PARTITION**
Partnership
  charging order, on judgment debtor's transferable interest, 35-10-505
  federal lien, filing, 71-3-204
  mining, See **MINES AND MINING, Liens**
Passenger carriers, lien upon baggage — when, 69-11-206

LIENS (Continued)

Performance
  lien accessory for, 71-3-119
  partial performance, 71-3-120
  redemption made by, 71-3-116
Personal obligation not implied, 71-3-111
Personal property, wrongful conversion, 71-3-121, See also specific lien; **PLEDGES**
Physical therapists' liens, Title 71, chapter 3, part 11
Physicians, nurses, physical therapists, occupational therapists, chiropractors, dentists, psychologists, licensed social workers, licensed professional counselors, and hospitals — liens of, 71-3-1114
  applicability of provisions, 71-3-1118
  citation of physician, nurse, physical therapist, occupational therapist, chiropractor, dentist, psychologist, licensed social worker, licensed professional counselor, and hospital lien act, 71-3-1111
  definitions, 71-3-1113
  entitlement, 39-71-743, 71-3-1112, 71-3-1114
  failure to recognize lien, 71-3-1117
  liability for payment, 71-3-1117
  notice, 71-3-1114 — 71-3-1117
  purpose, 71-3-1112
  workers' compensation benefits, effect, 39-71-743
Pipelines, laborers' and materialmen's lien on, Title 71, chapter 3, part 10
Pledged property, lien upon, 71-2-107
Possession, restoration of property, 71-3-123
Power of attorney, statutory — authority, 72-31-224, 72-31-225
Preference, See **Priority**; specific lien
Premarital agreements, rights of parties, 40-2-605
Priority, See also specific lien
  accessions, 30-9-314
  agisters' liens, 71-3-1202
  attorneys' liens, 71-3-1114
  beer tax, lien for nonpayment, 16-1-409
  cement taxes, 15-59-107, 15-59-206
  chattel mortgages, 71-3-401
  coal gross proceeds tax, 15-23-704
  condominiums, lien for common expenses, 70-23-607
  conflicting interest in same collateral, 30-9-310
  construction liens. 71-3-541, 71-3-542, 72-16-479
  consumer counsel fee, penalty and interest, 69-1-227
  creation of lien, effect, 71-3-113
  crop dusting, liens for, 71-3-904
  drainage district assessments upon dismissal of preliminary report, 85-8-350
  electric energy producer's license tax, 15-51-112
  estate property, recovery, 72-3-614
  farm laborers' liens, 71-3-401, 71-3-904
  forest fire protection, amount due, 76-13-211
  gasoline license tax lien, 15-70-211
  hail insurance, liens for, 71-3-711, 71-3-904
  inheritance tax lien, 72-16-479, 72-16-493
  irrigation districts, lien of united states for contract amounts owed to, 85-7-1953
  lienholder, 30-9-301
  loggers' liens, 71-3-602, 71-3-611
  materials, liens for, 30-2A-306, 30-9-310
  mausoleum-columbarium property dedication, 35-21-407
  mine reclamation cost lien, 82-4-239

LIENS (Continued)
Priority (Continued)

- mining
  - metal mines gross proceeds tax, 15-23-806
  - metal mines license tax, 15-37-107
  - micaceous mineral mines license tax, 15-37-206
  - net proceeds tax, 15-23-508
- mortgages, 70-23-607, 71-1-205, 71-3-114, 71-3-804, 71-3-904, 71-3-1007
- obligations secured by liens, 28-1-1106
- oil and gas
  - net proceeds tax, 15-23-608
  - operators' liens, 82-11-212
  - severance taxes, 15-36-108
  - wells and pipelines, laborers' and materialmen's liens on, 71-3-1007, 82-11-212
- order of resort, 30-9-301, 71-3-115
- partition sales, 70-29-301
- physicians, nurses, physical therapists, occupational therapists, chiropractors, dentists, and hospitals — liens of, 71-3-1114
- purchase money mortgage, 30-9-301, 71-3-114
- railroad corporations, judgment liens, 69-14-555
- real estate liens, 30-9-313
- resource indemnity trust and ground water assessment tax lien, 15-38-108
- salaries and wages, liens for, 30-9-310, 71-3-301 — 71-3-303, 71-3-904
- security interests, 30-2A-307, 30-9-301, 30-9-310, 30-9-314, 72-16-479
- seed and grain, crop liens for, 71-3-401, 71-3-702, 71-3-711, 71-3-804, 71-3-904
- special fuels use tax lien, 15-70-334
- state, on crops and improvements — when, 77-2-336, 77-6-112
- statutory liens, 30-2A-306, 30-9-310
- tax liens, 70-23-607, 72-16-479
- telephone company license tax lien, 15-53-113
- threshers' liens, 71-3-401, 71-3-804, 71-3-904
- trust indentures, 70-23-607
- unperfected security interest, 30-9-301
- warehouse services, liens for, 71-3-904

Prior lien, 71-3-107, 71-3-115
Professional counselors' liens, Title 71, chapter 3, part 11
Protection of interest, 71-3-118
Psychologists' liens, Title 71, chapter 3, part 11
Public assistance payments, when, 53-2-607, 53-6-143
- medical assistance, upon third party recoveries, 53-2-612, 53-6-143

Public contractors, lien for labor and materials, Title 71, chapter 3, part 5
Public utilities, creation by, See **UTILITIES**, **Securities issuance**
Purchase money security interest, 30-9-301, 71-3-1301 — 71-3-1303
Railroads
- corporations, judgment liens, 69-14-555
- lighting and crossing construction expenses as, 7-14-4302

Real estate liens
- construction, for, Title 71, chapter 3, part 5
- hail insurance, for, Title 71, chapter 3, part 7; Title 80, chapter 2, part 2
- mortgage foreclosure, 71-1-222
- priority, 30-9-313
- purchase price, for, 30-9-301, 71-3-1301 — 71-3-1303
- residential property, rollback tax, 15-7-403
- sureties, on, 2-9-528
- uniform commercial code inapplicable, 30-9-104

Redemption, See also specific lien
- contract restraining rights void, 71-3-109

LIENS (Continued)
Redemption (Continued)

- inferior lienor, 71-3-118
- manner, 71-3-116
- papers required, 25-13-807
- procedure, See **EXECUTION, Redemption**
- right, 71-3-117
- service of process by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D

Remains, human — unlawful upon, 35-21-703
Rental money owed, liens for, 30-9-104, 71-3-1401 — 71-3-1403
Resort, order of, 30-9-301, 71-3-115
Resource indemnity trust and ground water assessment tax lien, 15-38-108
Restoration of security, extinguishment by, 71-3-123
Road improvements districts, delinquent assessments, 7-14-2907
Rural special improvement districts, See **RURAL SPECIAL IMPROVEMENT DISTRICTS**
Sailboats, 23-2-502, 23-2-508, 23-2-510, 23-2-512, 30-9-203, 30-9-302
Salaries and wages, liens for, See also **Priority**

- construction, Title 71, chapter 3, part 5
- disputed claim, 71-3-304 — 71-3-306
- farm laborers, Title 71, chapter 3, part 4
- foreclosure, fees and costs, 25-10-302, 71-3-124
- loggers, Title 71, chapter 3, part 6
- oil and gas wells and pipelines, laborers on, Title 71, chapter 3, part 10
- physicians, nurses, physical therapists, occupational therapists, chiropractors, and dentists, Title 71, chapter 3, part 11
- preference, 71-3-301, 71-3-302, 71-3-305, 71-3-306
- priority, 30-9-310, 71-3-301 — 71-3-303, 71-3-904
- prior lien, 71-3-307
- sale, 71-3-304, 71-3-305
- service of notice, 71-3-303, 71-3-304
- threshers, Title 71, chapter 3, part 8
- uniform commercial code inapplicable, 30-9-104

Sale

- creation of lien, 30-11-202
- delivery, effect, 30-11-203
- levied property, 30-9-504, 71-3-121, See also specific lien
- personal solicitation, buyer's right, 30-14-506

Secured transactions, effect, See **SECURED TRANSACTIONS**
Securities

- broker-dealer and adviser examination costs as, 30-10-210
- commodities, purchase — lien arising from, 30-10-103
- fines, failure to pay, 30-10-201, 30-10-305
- lien upon, 30-8-103, 30-8-317

Security, general provisions, Title 71, chapter 3, part 1, See also specific lien
Seed and grain, crop liens for, 71-3-701, See also **Agriculture**

- acknowledgment of satisfaction, 71-3-704
- obtained, how, 71-3-703
- priority, 71-3-401, 71-3-702, 71-3-711, 71-3-804, 71-3-904
- recordation, 71-3-703, 71-3-705
- statement of lien, filing and fee, 71-3-125, 71-3-703

Service of process by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Sheep, license fees upon, 81-7-303
Silicosis benefits, exemption from, 39-73-110
Snowmobiles, 23-2-601, 23-2-611, 23-2-612, 30-9-203, 30-9-302
Social workers' liens, Title 71, chapter 3, part 11

LIENS (Continued)

Solid waste management district service charges when, 7-13-233, 7-13-236, 7-13-308
Special improvement districts, See **SPECIAL IMPROVEMENT DISTRICTS**
Special liens, 71-3-101
  agisters' liens, 71-3-1201
  mortgages, 71-1-103
  officers' liens, 71-3-1503
  prior lien, satisfaction, 71-3-107
  real estate, liens on purchase price, 71-3-1302
State, on crops and improvements — when, 77-2-336, 77-6-112
Statute of limitation, 71-3-122, See also specific lien
Storage, liens for, 70-6-411, 70-6-412, See also **Warehouse services, liens for**
  crops, thresher's labor, Title 71, chapter 3, part 8
  effect of lien, 70-6-211
  hotels, 70-9-501, 70-9-502; Title 71, chapter 3, part 14
Street lighting district assessments as, 7-12-4338
Subordinate liens, 71-3-115
Swathers' liens, Title 71, chapter 3, part 8
Table wine distributors, financial interest in retailers when, 16-3-406
Tax-exempt property, lien of tax on interest in, 15-24-1202, 15-24-1205
Tax liens
  cement taxes, 15-59-107, 15-59-206
  coal gross proceeds tax, 15-23-704
  corporation license tax, 15-31-101
  electric energy producers' license tax, 15-51-112
  estate tax, 72-16-911
  gasoline and vehicle fuels
    gasoline license tax, 15-70-211
    special fuel license tax, 15-70-354
    special fuel use tax, 15-70-334
  income tax, 15-30-208, 15-30-311
  inheritance tax, See **TAXATION, ESTATES**
  oil and gas net proceeds tax, 15-23-608
  oil and gas severance taxes, 15-36-108
  resource indemnity trust and ground water assessment tax, 15-38-108
  telephone company license tax, 15-53-113
Threshers' liens, 71-3-801
  acknowledgment of satisfaction, 71-3-808
  foreclosure, 25-10-302, 71-3-124, 71-3-806, 71-3-807, 71-3-809
  obtained, how, 71-3-802
  owner defined, 71-3-805
  parties, 71-3-806
  priority, 71-3-401, 71-3-804, 71-3-904
  recordation, 71-3-810
  rules of civil procedure, 71-3-809
  statement of lien, filing and fee, 71-3-125, 71-3-802
  statute of limitation, 71-3-807
Timber, liens on, Title 71, chapter 3, part 6
Timeshare units, statement of liens affecting title, 37-53-202, 37-53-303
Title, lien does not transfer, 71-3-108, 71-3-123
Title insurance, See **INSURANCE, TITLE**
Transfer
  discharge, 30-9-504
  in trust, not a lien, 71-3-101
  order of resort, 71-3-115
  title, 71-3-108, 71-3-123

LIENS (Continued)
Transfer (Continued)

uniform commercial code inapplicable, 30-9-104
Trusts
  breach of trust, remedy for, 72-34-506
  trustee, of, 72-33-632
Unemployment insurance
  benefits, exemption from, 39-51-3105
  taxes, for, 39-51-1304
Uniform Commercial Code, applicability, 30-9-102, See also specific lien
  agisters' liens, 71-3-1202
  compensation of lienholder, 71-3-112
  discharge, 30-9-504, 71-3-123
  exclusions, 30-9-102, 30-9-104
  ex-ship delivery, 30-2-322
  factors' liens, 30-9-102
  federal liens, 71-3-205
  forfeiture of property, 71-3-109
  future interest, 71-3-105
  lease goods, 30-2A-306, 30-2A-307
  lienholder as creditor, 30-1-201
  purchase, lien as, 30-1-201
  purchaser, rights of, 30-2-403
  redemption, right of, 71-3-109, 71-3-117
  restoration, 71-3-123
  unperfected security interest, priority, 30-9-301
  warranty against liens, 30-2-312
Unperfected security interests, priority, 30-9-301
Utilities
  creation by, See **UTILITIES**, **Securities issuance**
  rural cooperatives, effect of merger or consolidation, 35-18-403
Vendors' liens, real estate, 70-32-202, 70-32-221, 71-3-1301, 71-3-1303
Video gambling machines, sale by lienholder when, 23-5-614
Wages, liens for, Title 71, chapter 3, part 3
Warehouse services, liens for, 30-7-209, 30-7-602, See also **Storage**
  additional remedy, 30-7-210
  carrier's lien, enforcement as, 30-7-308
  delivery, effect upon, 30-7-705
  enforcement, 30-7-206, 30-7-210
  negotiation concealing, unlawful, 30-7-706
  priority, 71-3-904
  satisfaction, 30-7-206, 30-7-210, 30-7-403
  statement in warehouse receipt, 30-7-202
Warranty against liens, 30-2-312
Water
  commissioners, lien of assessments for, 85-5-206
  conservation revenue bonds, upon, 85-1-304
  contracts between department of natural resources and conservation and state agencies and counties, 85-1-224
  renewable resource grant and loan projects, 85-1-604, 85-1-615, 85-1-618, 85-1-623
  rights or real property or interest in, 85-1-202
Water conservancy districts, lien of
  assessments, 85-9-601
  bonds, 85-9-503
Water quality district fees, unpaid, 7-13-4524
Water supply and sewer districts
  assessments and charges, 7-13-3024

LIENS (Continued)
Water supply and sewer districts (Continued)

    loans from reserve fund to bond fund, 7-13-3037
Wineries, financial interest in retailers when, 16-3-406
Workers' compensation, See **WORKERS' COMPENSATION**
Wrongful conversion, 27-1-321, 71-3-121

LIEUTENANT GOVERNOR
    See also generally **EXECUTIVE BRANCH; PUBLIC OFFICERS OR EMPLOYEES**
Absence, 77-1-201
Acting governor, as, Const., VI, 14
Administrative policies of the executive branch, conflicts, 2-15-103
Age, Const., VI, 3
Appointment, 2-16-511; Const., VI, 6
Candidacy for other office, Const., VI, 5
Capitol Restoration Commission, member of and appointments to, 5-17-202
Citizenship, Const., VI, 3
Creation of office, 2-15-301
Death, 2-16-513; Const., VI, 6
Deeds, execution, 60-4-207, 87-1-209
Delegation of gubernatorial power, Const., VI, 4
Disability, Const., VI, 6, See also **PUBLIC OFFICERS OR EMPLOYEES, Vacancy in office**
Duties generally, 2-15-302; Const., VI, 1; VI, 4
Election, See also **ELECTIONS**, generally
    ballot
        placement, 13-12-207
        rotation, 13-12-205
    campaign contributions, limitation, 13-37-216
    declaration for nomination, 13-10-201; Const., VI, 2
    general election, in, Const., VI, 2
    joint nomination and election with governor, Const., VI, 2
    legislature, by, 2-16-511, 2-16-512
    manner of, 2-16-201; Const., VI, 2
    primaries
        declaration for nomination, 13-10-201; Const., VI, 2
        vacancy in office of governor, effect, 13-10-328
    qualifications, Const., VI, 3
    term of office, Const., VI, 1; VI, 6
    tie vote, 13-16-504
    vacancy in governor candidacy, effect, 13-10-328
Environmental Quality Council, vacancy on — publication of notice, 5-16-104
Executive branch officer, Const., VI, 1
Governor
    acting, Const., VI, 14
    succession to, See **GOVERNOR, Succession**
Impeachment, Const., VI, 13; Title 5, chapter 5, part 4, See **IMPEACHMENT**, generally
Inability to perform duties, 2-16-504, 2-16-513, 2-16-515; Const., VI, 6, See **PUBLIC OFFICERS OR EMPLOYEES, Vacancy in office**
Land Commissioners, Board of — presiding officer, when, 77-1-201
Legislature, election by, 2-16-511, 2-16-512
Lieutenant governor-elect, Const., VI, 14
Oath, 2-16-211; Const., III, 3
Office, 2-15-301; Const., VI, 1
Official records, See **PUBLIC RECORDS, Executive branch officers**
Powers and duties, 2-15-302; Const., VI, 4
Public office, may not hold other public office, Const., VI, 5

LIEUTENANT GOVERNOR (Continued)

Qualifications, Const., VI, 3
Records, official, See **PUBLIC RECORDS, Executive branch officers**
Residence, Const., VI, 1; VI, 3
Resignation, 2-16-502; Const., VI, 6, See also **PUBLIC OFFICERS OR EMPLOYEES, Vacancy in office**
Retirement benefits, applicability, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM**, generally
Rulemaking powers, 2-15-112
Salary, 2-16-405; Const., VI, 5, See also **WAGES AND SALARIES**, **State officers**
State land patents, execution when, 77-2-342
Succession, 2-16-511 — 2-16-514; Const., VI, 6, See **GOVERNOR**, **Succession**
Term of office, Const., IV, 8; VI, 1; VI, 6
Transportation, Department of — execution of deeds for land sales by, 60-4-207
Vacancies on councils, boards, commissions, or committees — publication of notice, 2-15-201
Vacancy in office, 2-16-511, Const., VI, 6, See **PUBLIC OFFICERS OR EMPLOYEES, Vacancy in office**

LIFE AND DISABILITY INSURANCE POLICY LANGUAGE SIMPLIFICATION ACT, 33-15-321 — 33-15-329
  See **INSURANCE, Policies**, language simplification

LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT, Title 33, chapter 10, part 2
  See **INSURANCE GUARANTY ASSOCIATION, LIFE AND HEALTH**

LIGHTING DISTRICTS
  See **STREET LIGHTING DISTRICTS**

LIMITATIONS OF ACTIONS
  See **STATUTES OF LIMITATIONS**

LIMITED LIABILITY COMPANIES
Actions, 35-8-107
  by and against, 35-8-1101, 35-8-1102
  dissolution,
    claims, enforcement, 35-8-908, 35-8-909
    revocation, 35-8-907
  foreign limited liability companies
    revocation of certificate of authority, 35-8-1011
    successor or assignee, certificate of authority required, 35-8-1002
    transaction of business, exclusion, 35-8-1001
  members and managers, by or against, 35-8-301, 35-8-402, 35-8-404
  merger, surviving company, 35-8-1201
  service of process, 35-8-105, 35-8-906, 35-8-1010, 35-8-1012, 35-8-1201
  winding up of business, 35-8-903, 35-8-904
Agency and agents, 35-8-107, See also **AGENCY**
  articles of organization, information included in, 35-8-202
  foreign limited liability companies, 35-8-1001
  indemnification, 35-8-107
  members and managers, power, 35-8-301, 35-8-904
  pensions, profit-sharing, or benefit plans, 35-8-107
  registered agent, 35-8-105
    annual report, designation in, 35-8-208
    change, 35-8-209, 35-8-1006, 35-8-1011
    foreign limited liability company, 35-8-1003 — 35-8-1006, 35-8-1010 — 35-8-1012
  service of process, 35-8-906, 35-8-1010

LIMITED LIABILITY COMPANIES (Continued)

Annual reports, 35-8-208, 35-8-209, 35-8-1011
Articles of dissolution, 35-8-802, 35-8-904, 35-8-906 — 35-8-908, 35-8-1201
Articles of merger, 35-8-102, 35-8-1201
Articles of organization, 35-8-102, 35-8-202, 35-8-405
    actions of members or managers, provisions relating to, 35-8-301, 35-8-402
    actions on behalf of company, authority set forth in, 35-8-1102
    admission of members, time provided in, 35-8-801
    amendment, 35-8-203, 35-8-403, 35-8-405, 35-8-906
        articles of amendment, 35-8-203
    breach of, 35-8-802
    contributions by members, obligation set forth in, 35-8-502
    disassociation of member, provisions for, 35-8-802
    dissolution, requirements, 35-8-901
    distributions, provisions for, 35-8-601 — 35-8-605, 35-8-905
    filing, 35-8-201, 35-8-205, 35-8-206, 35-8-212, 35-8-906
    indemnification, statement in, 35-8-107, 35-8-404
    interest in limited liability company, assignment provisions, 35-8-704, 35-8-706, 35-8-802
    liability limitations set forth in, 35-8-404
    management provisions set forth in, 35-8-102, 35-8-202, 35-8-301, 35-8-302, 35-8-401, 35-8-702, 35-8-904, 35-8-1102
    name of company set forth in, 35-8-103, 35-8-202
    professional limited liability companies, 35-8-102, 35-8-202, 35-8-208
        professional services described in, 35-8-1302, 35-8-1304
    profits, losses, and surpluses — sharing provisions set forth in, 35-8-503
    purpose, statement in, 35-8-106, 35-8-107
    records and information requirements set forth in, 35-8-405
    restatement, 35-8-203
    voting by members, provision for, 35-8-403
    winding up of business, provisions for, 35-8-903
Assets, 35-8-107
    dissolution
        claims, enforcement, 35-8-909
        reinstatement following, 35-8-210
    distribution, See **Distributions**
Benefit plans, 35-8-107
Bonds, issuance, 35-8-107
Borrow money, power to, 35-8-107, See **Indebtedness**
Certificates
    foreign limited liability companies
        authority, of, See **Foreign limited liability companies**
        revocation, of, 35-8-1012, 35-8-1013
        withdrawal, of, 35-8-1010
    foreign professional limited liability company, of authority, 35-8-1014
    membership interest, of, 35-8-704
    reinstatement, of, 35-8-210
Citation of Montana Limited Liability Company Act, 35-8-101
Contract
    members and managers, liability to third parties, 35-8-304
    power to, 35-8-107
Contributions to capital, 35-8-405, 35-8-501 — 35-8-503, 35-8-603, 35-8-605, 35-8-706, 35-8-905
Court, 35-8-102
    dissolution, 35-8-902
    membership interest, judgment creditor's rights, 35-8-705
    orders, liability to third parties, 35-8-304

LIMITED LIABILITY COMPANIES (Continued)
Court (Continued)

  winding up of business, 35-8-903
Creditors
  contributions by members, original obligation — enforcement, 35-8-502
  dissolution, claims, 35-8-908, 35-8-909
  interest in limited liability company, availability to, 35-8-102
  winding up of business, distributions to, 35-8-905
Definitions, 35-8-102, 35-8-908
Directors — pensions, profit-sharing, or benefit plans, 35-8-107
Dissolution, 35-8-901, See also **Winding up of business**
  administrative, 35-8-209
  agency power of members or managers, 35-8-904
  annual report, date set forth in, 35-8-208
  articles of dissolution, 35-8-802, 35-8-904, 35-8-906 — 35-8-908, 35-8-1201
  articles of organization, date set forth in, 35-8-202
  articles of revocation of dissolution, 35-8-907
  claims against dissolved company
    known, 35-8-908
    unknown, 35-8-909
  disassociation of member, events of, 35-8-802
  distributions, 35-8-604
  events that require, 35-8-405
  involuntary, 35-8-209, 35-8-210, 35-8-802
  judicial dissolution, 35-8-901, 35-8-902
  power to dissolve, 35-8-107
  reinstatement of dissolved company, 35-8-210
  revocation, 35-8-907
Distributions, 35-8-604
  assignee of limited liability company interest
    liability, 35-8-706
    to, 35-8-704
  disassociation of member, event of, 35-8-602
  dissolution, claims — enforcement, 35-8-909
  in kind, 35-8-603
  right to, 35-8-606
  sharing, 35-8-601
  unlawful, liability, 35-8-404, 35-8-502, 35-8-605
  winding up of business, 35-8-903, 35-8-905
  withdrawal of member by voluntary act, offset, 35-8-802
Documents generally
  execution, 35-8-204, 35-8-301, 35-8-906
  facsimile copies, filing, 35-8-207, 35-8-211
  fees, 35-8-211
  filing requirements, 35-8-205, 35-8-207
Donations by, 35-8-107
Employees
  foreign limited liability companies, 35-8-1001
  indemnification, 35-8-107
  pensions, profit-sharing, or benefit plans, 35-8-107
  professional limited liability companies, 35-8-1306, 35-8-1307
Fees
  failure to remit, 35-8-209
  filing, 35-8-205, 35-8-208, 35-8-211, 35-8-212
  license, 35-8-212
Filings
  agent, registered — change, 35-8-209, 35-8-1006

LIMITED LIABILITY COMPANIES (Continued)
Filings (Continued)

- annual report, 35-8-208, 35-8-209
- articles of dissolution, 35-8-904, 35-8-908
- articles of organization, 35-8-201, 35-8-205, 35-8-206, 35-8-212, 35-8-906
- articles of revocation of dissolution, 35-8-907
- documents generally, requirements, 35-8-205
- facsimile copies of documents, 35-8-207
- fees, 35-8-205, 35-8-208, 35-8-211, 35-8-212
- foreign limited liability company
  - certificate of authority, application, 35-8-212, 35-8-1003
  - registered office or registered agent, statement of change, 35-8-1006
- office, registered — change, 35-8-209, 35-8-1006
- statement of qualification, 35-8-208

Financial statements, 35-8-405, 35-8-604
Foreign limited liability companies, 35-8-102, 35-8-107
- annual report, 35-8-208, 35-8-1011
- certificate of authority
  - amendment, 35-8-1007
  - application, 35-8-212, 35-8-1003
  - effect, 35-8-1008
  - required, 35-8-1001
  - revocation, 35-8-1011, 35-8-1012
    - appeal, 35-8-1013
  - transacting business without, 35-8-1002
- dissolution, claims — enforcement, 35-8-909
- license fees, 35-8-212
- name, 35-8-104, 35-8-1007, 35-8-1008
- registered office and registered agent, 35-8-1003 — 35-8-1006, 35-8-1011
- service of process, 35-8-1010, 35-8-1012
- withdrawal, 35-8-1010

Formation, 35-8-201, 35-8-204, 35-8-206, 35-8-801
Indebtedness
- distributions, 35-8-604
- foreign limited liability companies, 35-8-1001
- members and managers, liability to third parties, 35-8-304
- merger, surviving company, 35-8-1201
- power to incur or create, 35-8-107
- records and information, failure to keep or maintain — liability, 35-8-405

Indemnification of members, managers, agents, or employees, 35-8-107, 35-8-404
Information requirements, 35-8-405
Investments, 35-8-107
Leases, power generally, 35-8-107
Liabilities
- contributions to capital, 35-8-502
- distributions, unlawful, 35-8-604, 35-8-605
- foreign limited liability company — taxes, penalties, or interest due, 35-8-1010
- membership interest, assignee or assignor, 35-8-704, 35-8-706
- members or managers, 35-8-304, 35-8-402, 35-8-404, 35-8-502
- power to incur, 35-8-107
- professional limited liability company employees, 35-8-1306
- records or information, failure to keep or maintain, 35-8-405
- winding up of business, 35-8-903

License fees, 35-8-212
Liquidation, 35-8-802, 35-8-909
Loans, 35-8-107
Losses, sharing, 35-8-503

LIMITED LIABILITY COMPANIES (Continued)

Management, 35-8-401, See **Members and managers**
Members and managers, 35-8-102
  actions brought by, 35-8-1102
  admission of members, 35-8-801
  admissions or representations, 35-8-302
  agency power, 35-8-301, 35-8-904
  contributions to capital, 35-8-405, 35-8-501 — 35-8-503, 35-8-603, 35-8-605, 35-8-905
  disassociation of member, events of, 35-8-102, 35-8-602, 35-8-802, 35-8-901
  dissolution
    agency power after, 35-8-904
    reinstatement following, 35-8-210
    remedies for claims or rights, 35-8-909
    rights, preferential, 35-8-604
  distributions, 35-8-404, 35-8-601, 35-8-605, 35-8-905
  documents, execution, 35-8-204, 35-8-301
  duties generally, 35-8-402, 35-8-404
  foreign limited liability companies, 35-8-1001, 35-8-1003
  foreign professional limited liability company, 35-8-1014
  indemnification, 35-8-107, 35-8-404
  information provided by, 35-8-405
  interest in limited liability company, 35-8-102, 35-8-501, 35-8-602, 35-8-905
    assignee's right to become member, 35-8-706, 35-8-801
    assignment, 35-8-102, 35-8-704, 35-8-802
    judgment creditor, rights, 35-8-705
    nature of, 35-8-703
  liability, 35-8-304, 35-8-402, 35-8-404, 35-8-502, 35-8-605
  management by, 35-8-401, 35-8-405
    annual report, statement in, 35-8-208
    articles of organization, set forth in, 35-8-102, 35-8-202, 35-8-301, 35-8-302, 35-8-401, 35-8-702, 35-8-904, 35-8-1102
  meetings of members, 35-8-202, 35-8-1001
  notice to or knowledge of matters, 35-8-303
  professional limited liability companies, 35-8-208, 35-8-1303 — 35-8-1306
  profits, losses, and surpluses — sharing, 35-8-503
  property, real — transfer, 35-8-702
  records, inspection, 35-8-405
  voting, 35-8-403, 35-8-1102
  winding up of business, 35-8-903, 35-8-905
  withdrawal by voluntary act, 35-8-802
Merger, 35-8-102, 35-8-1201
Mortgages, power generally, 35-8-107, 35-8-1001
Name, 35-8-103
  actions, name in, 35-8-1101, 35-8-1102
  agent, registered — inclusion in statement of change, 35-8-105, 35-8-1006
  annual report, statement in, 35-8-208
  articles of amendment, statement in, 35-8-203
  articles of organization, statement in, 35-8-103, 35-8-202
    restatement, statement in, 35-8-203
  assumed business name, 30-13-202, 35-8-1009
  dissolution
    articles of dissolution, statement in, 35-8-906
    articles of revocation of dissolution, statement in, 35-8-907
    reinstatement following, application for, 35-8-210
  exclusivity, 30-13-202, 35-1-308, 35-1-1031, 35-2-305, 35-2-826, 35-4-206, 35-8-103, 35-12-505

LIMITED LIABILITY COMPANIES (Continued)
Name (Continued)

- foreign limited liability company, 35-8-1009
  - certificate of authority, application — inclusion, 35-8-1003
  - certificate of withdrawal, application — inclusion, 35-8-1010
  - name change, 35-8-1007
  - registered office and registered agent, statement of change — inclusion, 35-8-1006
- foreign professional limited liability company, 35-8-1014
- office, registered — inclusion in statement of change, 35-8-105, 35-8-1006
- professional limited liability company, 35-8-1302
- property — acquisition, holding, or transfer, 35-8-701, 35-8-702
- reservation of name, 35-8-104

Notes, issuance, 35-8-107
Notices
- agent, registered — resignation, 35-8-105
- dissolution, of, 35-8-904, 35-8-908
- foreign limited liability company
  - certificate of authority, revocation, 35-8-1012
  - mailing address, change, 35-8-1010
  - registered office or registered agent, change, 35-8-1006
- foreign professional limited liability company, certification of revocation of certificate of authority, 35-8-1014
- members or managers, to, 35-8-303
- name, reserved — transfer, 35-8-104
- withdrawal of member by voluntary act, 35-8-802

Officers — pensions, profit-sharing, or benefit plans, 35-8-107
Offices
- annual report, designation in, 35-8-208
- foreign limited liability companies, 35-8-1001, 35-8-1003, 35-8-1005
- foreign professional limited liability company, 35-8-1014
- records, 35-8-405
- registered, 35-8-105
  - annual report, statement in, 35-8-208
  - articles of organization, statement in, 35-8-202
  - change, 35-8-209, 35-8-1006, 35-8-1011
  - foreign limited liability company, 35-8-1003 — 35-8-1006, 35-8-1011
  - foreign professional limited liability company, 35-8-1014

Operating agreement, 35-8-102, 35-8-405
- actions of members or managers, provisions relating to, 35-8-301, 35-8-402
- actions on behalf of company, authority set forth in, 35-8-1102
- admission of members, time provided in, 35-8-801
- amendment, 35-8-403, 35-8-405
- breach of, 35-8-802
- contributions by members, obligation set forth in, 35-8-502
- disassociation of member, provisions for, 35-8-802
- dissolution, requirements, 35-8-901
- distributions, provisions for, 35-8-601 — 35-8-605, 35-8-905
- indemnification, statement in, 35-8-107, 35-8-404
- interest in limited liability company, assignment provisions, 35-8-704, 35-8-706, 35-8-802
- liability limitations set forth in, 35-8-404
- management provisions set forth in, 35-8-401
- profits, losses, and surpluses — sharing provisions set forth in, 35-8-503
- records and information requirements set forth in, 35-8-405
- voting by members, provision for, 35-8-403
- winding up of business, provisions for, 35-8-903

Organization, 35-8-106, See **Articles of organization**
Pensions, pension plans, or pension trusts, 35-8-107

LIMITED LIABILITY COMPANIES (Continued)

Pledges, 35-8-107
  membership interest, of — effect, 35-8-704
Power of attorney, 35-8-204, 35-8-405
Powers generally, 35-8-107, 35-8-202, 35-8-1201
Professional limited liability companies, 35-8-102
  annual report, 35-8-208
  articles of organization, 35-8-102, 35-8-202, 35-8-208, 35-8-1302, 35-8-1304
  disqualified person, 35-8-102, 35-8-802, 35-8-1304
  foreign professional limited liability companies, 35-8-102, 35-8-1302, 35-8-1304, 35-8-1306, 35-8-1307
    admission, 35-8-1014
    certificate of authority, 35-8-1014
    statement of qualification, 35-8-208
  liabilities, 35-8-1306
  licensing authority, 35-8-102, 35-8-208, 35-8-1014, 35-8-1302, 35-8-1304
  members and managers, 35-8-1303 — 35-8-1306
  name, 35-8-1302
  professional services, 35-8-102, 35-8-202, 35-8-208, 35-8-1014, 35-8-1301, 35-8-1304, 35-8-1306, 35-8-1307
  purposes, 35-8-1301
  qualified persons, 35-8-102, 35-8-208, 35-8-1014, 35-8-1303
  relationship to clients and patients, 35-8-1307
  rendering services, 35-8-1305, 35-8-1306
  statement of qualification, 35-8-208
Profits, 35-8-503, See also **Distributions**
Profit-sharing, 35-8-107
Property, 35-8-107
  accounting, 35-8-402
  contributions, 35-8-405, 35-8-501
  distributions, 35-8-502, See also **Distributions**
  foreign limited liability companies, 35-8-1001
  merger, surviving company, 35-8-1201
  ownership, 35-8-701
  transfer of real property, 35-8-702
  winding up of business, 35-8-903
Purposes, 35-8-106, 35-8-107
Records, 35-8-405, 35-8-801
Reorganization, 35-8-802
Reports, annual, 35-8-208, 35-8-209, 35-8-1011
Rules, 35-8-208, 35-8-209, 35-8-211, 35-8-1302, 35-8-1304
Service of process, 35-8-105, 35-8-906, 35-8-1010, 35-8-1012, 35-8-1201
Short title, 35-8-101
Stock, power generally, 35-8-107
Sue and be sued, power to, 35-8-107, See **Actions**
Surplus, sharing, 35-8-503, See also **Distributions**
Taxes
  dissolution, reinstatement following — certification of payment, 35-8-210
  foreign limited liability company, withdrawal — certification of payment, 35-8-1010
  returns, copies and information to be kept, 35-8-405
Trademarks, Title 30, chapter 13, part 3
Winding up of business, 35-8-901, 35-8-903, 35-8-904, 35-8-906, See also **Dissolution**
  accounting, 35-8-402
  assets, distribution, 35-8-905
  disassociation of member, events of, 35-8-802
Workers' compensation old fund liability tax, 39-71-2503 — 39-71-2505

LIMITED PARTNERSHIPS
  See also **PARTNERSHIPS**
Actions
  derivative actions, 35-12-1401 — 35-12-1404
  foreign limited partnership, 35-12-1307, 35-12-1308
  merger with partnership, effect, 35-10-642
Agent, resident, 35-12-507
  certificate of limited partnership
    expiration, notice, 35-12-610
    renewal application, 35-12-610, 35-12-611
    statement in, 35-12-601
  certificates, execution, 35-12-606
  foreign limited partnerships, 35-12-1302, 35-12-1307
Applicability of laws, 35-12-502, 35-12-503
  foreign limited partnerships, 35-12-1301
  partnership laws, 35-12-503, 35-12-509, 35-12-803
Assets, 35-12-703, 35-12-904, 35-12-1007, 35-12-1101, 35-12-1204, See also **Contributions**; **Property**
Assignment of interest, 35-12-1102
  amendment or cancellation, petition by assignee, 35-12-605
  certificate of limited partnership, power set out in, 35-12-601
  creditors, for benefit of, 35-12-802
  judgment debtor, rights, 35-12-1103
  partner, assignee's right to become, 35-12-601, 35-12-701, 35-12-1104, 35-12-1105
  winding up by court, request by assignee, 35-12-1203
Business conducted by
  nature of, 35-12-509
  partner and partnership, between, 35-12-510
Certificate declaring withdrawal, 35-12-704
Certificate of amendment, 35-12-504, 35-12-602
  admission of additional partners, 35-12-701
  court, by, 35-12-605, 35-12-606
  creditors' claims, effect, 35-12-902
  delivery to limited partner, 35-12-609
  execution, 35-12-604 — 35-12-606, 35-12-704
  falsification, 35-12-602, 35-12-604, 35-12-607
  filing, 35-12-521, 35-12-602, 35-12-606, 35-12-704
  records requirements, 35-12-508
Certificate of cancellation, 35-12-603
  court, by, 35-12-605, 35-12-606
  creditors' claims, effect, 35-12-902
  delivery to limited partner, 35-12-609
  execution, 35-12-604 — 35-12-606
  falsification, 35-12-604, 35-12-607
  filing, 35-12-521, 35-12-603, 35-12-606
  foreign limited partnerships, 35-12-1306
Certificate of limited partnership, 35-12-504, 35-12-601
  amendment, See **Certificate of amendment**
  assignees' rights as partners, statement in, 35-12-1104
  cancellation, 35-10-636, 35-12-610, 35-12-613, See also **Certificate of cancellation**
  contribution provisions, 35-12-902 — 35-12-904, 35-12-1008
  delivery to limited partner, 35-12-609
  dissolution, statement of right, 35-12-1003, 35-12-1201
  distribution provisions, 35-12-1001, 35-12-1005

LIMITED PARTNERSHIPS (Continued)
Certificate of limited partnership (Continued)

- execution, 35-12-601, 35-12-604, 35-12-704
- falsification, 35-12-602, 35-12-604, 35-12-607
- filing, 35-10-635, 35-12-521, 35-12-601, 35-12-606, 35-12-704
- general partners, provisions for, 35-12-802
- name in, 35-12-505
- notice, constructive, 35-12-608
- records requirements, 35-12-508
- renewal, 35-12-610 — 35-12-613
- term, 35-12-610
- withdrawal, statement in, 35-12-1003

Certificate of renewal, 35-12-612
Citation of Uniform Limited Partnership Act, 35-12-501
Construction of provisions, 35-12-502
Contributions, 35-12-504, 35-12-901
- assignee, liability, 35-12-1104
- certificate of limited partnership, statement in, 35-12-601
- change, 35-12-602, 35-12-604
- distributions, effect, 35-12-904, 35-12-1005, 35-12-1204
- effect, 35-12-704, 35-12-804
- liability for, 35-12-902
- merger, obligation to surviving entity, 35-10-642
- profit and loss allocation, effect, 35-12-903
- return, 35-12-902, 35-12-1001, 35-12-1008, 35-12-1104, 35-12-1204

Conversion
- limited partnership to partnership, 35-10-636, 35-10-637, 35-10-644
- partnership to limited partnership, 35-10-635, 35-10-637, 35-10-644

Creditor's claims
- assignment of interest, effect, 35-12-1103
- contributions, effect upon, 35-12-902, 35-12-1008
- dissolution, priority, 35-12-1204
- limited partners, liability, 35-12-703

Damages
- falsification of certificates, 35-12-607
- withdrawal in violation of partnership agreement, 35-12-1002

Death or incapacity of partner, 35-12-802, 35-12-902, 35-12-1105
Definitions, 35-12-504
Derivative actions, 35-12-1401 — 35-12-1404
Disassociation of partner, 35-10-642
Dissolution, 35-12-1201
- assignment of interest, effect, 35-12-1102
- certificate of cancellation, See **Certificate of cancellation**
- certificate of limited partnership, provisions in, 35-12-601, 35-12-1003, 35-12-1201
- court, by, 35-12-1201, 35-12-1202
- distribution upon, 35-12-1204
- limited partners, liability, 35-12-703
- winding up, 35-12-601, 35-12-603, 35-12-703, 35-12-1001, 35-12-1003, 35-12-1201, 35-12-1203, 35-12-1204

Distributions
- allocation, 35-12-904
- assignment of interest, effect, 35-12-1102
- certificate of limited partnership, statement in, 35-12-601
- dissolution, upon, 35-12-1204
- effect, 35-12-1008
- in kind, 35-12-1005
- interim, 35-12-1001

LIMITED PARTNERSHIPS (Continued)
Distributions (Continued)

- limitations, 35-12-1007
- limited partner, when erroneously believing one is, 35-12-704
- right, 35-12-1006, 35-12-1101
- withdrawal, effect, 35-12-1002, 35-12-1004

Facsimile copies of documents, 35-12-615
Fees for filing, 35-12-521, 35-12-612, 35-12-1303
Foreign limited partnerships, 35-12-504

- agent, 35-12-1302, 35-12-1307
- certificate of cancellation, 35-12-1306
- certificate of correction, 35-12-1305
- certificate of registration, 35-12-1303
- conflict of laws, 35-12-1301
- limited liability companies, Title 35, chapter 8
- name, 35-12-505, 35-12-506, 35-12-1302, 35-12-1304
- registration, 35-12-1301 — 35-12-1308
- service of process, 35-10-642
- transaction of business without registration, 35-12-1307, 35-12-1308

Formation, 35-12-601
General partners, 35-12-504

- admission, 35-12-602, 35-12-604, 35-12-801
- ceases to be when, 35-12-802, 35-12-1102
- certificate of cancellation, information in, 35-12-603
- certificate of limited partnership
  - expiration, notice, 35-12-610
  - renewal application, 35-12-610 — 35-12-612
  - statements in, 35-12-601
- certificate of renewal, 35-12-612
- certificates, delivery to limited partners, 35-12-609
- contributions, 35-12-804
- derivative action, 35-12-1401, 35-12-1403
- foreign limited partnerships, 35-12-1302
- information release, 35-12-705
- liabilities, 35-12-704, 35-12-803, 35-12-804
- limited partner as, 35-12-804
- limited partner's withdrawal, notice, 35-12-1003
- name in partnership name, 35-12-505
- powers, 35-12-803, 35-12-804
- removal, 35-12-703, 35-12-802
- rights, 35-12-803, 35-12-804
- voting, 35-12-805
- winding up by, 35-12-1203
- withdrawal, See **Withdrawal of partners**

Incapacity or death of partner, 35-12-802, 35-12-902, 35-12-1105
Judgment debtors, rights, 35-12-1103, See also **Creditor's claims**
Liabilities

- assignee, of, 35-12-1104
- contributions, upon return, 35-12-1008
- distributions, effect, 35-12-1007
- facsimile copies of documents, 35-12-615
- falsification of documents, 35-12-604, 35-12-607, 35-12-615
- general partner, 35-12-704, 35-12-803
- limited partner, of, 35-10-635, 35-10-636, 35-10-642, 35-12-703
- third parties, to, 35-12-703, 35-12-704

Limited liability companies, Title 35, chapter 8

LIMITED PARTNERSHIPS (Continued)

Limited partners, 35-12-504
  admission, 35-12-602, 35-12-604, 35-12-701
  assignee, may become, 35-12-601, 35-12-701, 35-12-1104, 35-12-1105
  ceases to be partner when, 35-12-1102
  certificate of limited partnership, statement in, 35-12-601
  certificates, delivery to, 35-12-609
  contributions, See **Contributions**
  derivative action, 35-12-1401
  erroneous belief that one is a partner, 35-12-704
  general partners as, 35-12-704, 35-12-804
  information, right to, 35-12-705
  liabilities, 35-10-635, 35-10-636, 35-10-642, 35-12-703
  name in partnership name, 35-12-505
  voting, 35-12-702
  winding up by, 35-12-1203
  withdrawal, See **Withdrawal of partners**
Merger with partnership, 35-10-641, 35-10-644
  effect, 35-10-642
  statement of, 35-10-643
Name, 35-12-505
  certificate of amendment, statement in, 35-12-602
  certificate of cancellation, statement in, 35-12-603
  certificate of limited partnership, statements in, 35-12-601, 35-12-611
  exclusivity, 30-13-202, 35-1-308, 35-1-1031, 35-2-305, 35-2-826, 35-4-206, 35-12-506
  foreign limited partnerships, 35-12-1302, 35-12-1304
  limited partners, use of name in, 35-12-703
  merger with partnership, 35-10-641, 35-10-643
  reservation, 35-12-506, 35-12-521
  transfer, 35-12-506, 35-12-521
Notice
  certificate of limited partnership, pertaining to, 35-12-608, 35-12-610
  constructive notice, 35-12-608, 35-12-615
  name, reservation — transfer, 35-12-506
  withdrawal, 35-12-1002, 35-12-1003
Offices, 35-12-507, 35-12-508
  certificate of limited partnership, statements in, 35-12-601, 35-12-611
  foreign limited partnerships, 35-12-1302
Partnership agreements, 35-12-504
  admission as partner by compliance, 35-12-701
  assignment of interest, terms regulating, 35-12-1102, 35-12-1104
  business transactions of partner with partnership, 35-12-510
  certificates, delivery provisions, 35-12-609
  contribution provisions, 35-12-902, 35-12-1008
  dissolution, terms for priority in distributions, 35-12-1204
  distributions, terms pertaining to, 35-12-904, 35-12-1001, 35-12-1004, 35-12-1005, 35-12-1008
  general partner, outline of powers and liabilities, 35-12-803 — 35-12-805
  limited partner's liability, effect, 35-12-703
  merger provisions, 35-10-641
  profits and losses, terms for allocations, 35-12-903
  records requirements, 35-12-508
  voting provisions, 35-12-702, 35-12-805
  winding up, terms pertaining to, 35-12-1203
  withdrawal in violation of, 35-12-1002
  withdrawal procedures stated in, 35-12-1003

LIMITED PARTNERSHIPS (Continued)

Partnership interest, 35-12-504, 35-12-1101, 35-12-1103, See also **Assignment of interest**
Pipeline carriers, See **PIPELINES**
Power of attorney, 35-12-508, 35-12-604
Profits and losses, 35-12-804, 35-12-903, 35-12-1101
Property, 35-10-637, 35-10-642, 35-10-643, 35-12-601, 35-12-901, 35-12-1101
Records, 35-12-507, 35-12-508, 35-12-705
Service of process, 35-10-642, 35-12-507, 35-12-601, 35-12-611, 35-12-1302, 35-12-1306, 35-12-1307
Short title, 35-12-501
Tax returns and reports, 35-12-508, 35-12-705
Uniformity of provisions, 35-12-502
Voting, 35-12-702, 35-12-703, 35-12-805
Winding up, See **Dissolution**
Withdrawal of partners, 35-12-504
  certificate declaring, 35-12-704
  certificate of limited partnership provisions, 35-12-601, 35-12-602
  dissolution upon, 35-12-1201
  distributions, 35-12-1001, 35-12-1004
  general partner, effect, 35-12-802, 35-12-1002
  limited partner, effect, 35-12-1003

LIS PENDENS
  See **PROPERTY, REAL**

LITTERING AND LITTER CONTROL
Boats, prohibited from, 23-2-522
Camping permit, forfeiture when, 87-2-112
Caves, in — unlawful, 23-2-905
Community decay ordinances, 7-5-2110, 7-5-2111
Counties
  community decay ordinances, 7-5-2110, 7-5-2111
  control, 7-5-2109
  roads, prohibited on, 61-8-365, 75-10-212, 75-10-213, 75-10-233
  shooting ranges, on — nonapplicability, 7-5-2109, 76-9-102
Criminal mischief, 45-6-101
  "tamper" defined, 45-2-101
Dumping garbage, dead animals, or refuse — when, penalty, 61-8-365, 75-10-212, 75-10-213, 75-10-233
Enforcement of litter laws, 75-10-233, 87-1-504, 87-1-505
Fishing license, forfeiture, 87-2-112
Highways, prohibited on, 61-8-365, 61-8-370, 75-10-212, 75-10-213, 75-10-233
Hunting license, forfeiture, 87-2-112
Natural areas, responsibility, 76-12-121
Recreational property, prohibited on, 75-10-212, 75-10-233
Shooting ranges, nonapplicability, 7-5-2109, 76-9-102
Streets, prohibited on, 61-8-365, 75-10-212, 75-10-213, 75-10-233
Trapping license, forfeiture, 87-2-112
Unlawful, 45-2-101, 45-6-101, 61-8-365, 75-10-212, 75-10-213, 75-10-233, 87-1-102, 87-2-112

LITTLE DAVIS-BACON ACT, Title 18, chapter 2, part 4
  See **PUBLIC CONTRACTS, Wages paid by contractors**

LIVESTOCK
  See also generally **AGRICULTURE; ANIMALS**

LIVESTOCK (Continued)

Abandonment
    horses, See **Roundup of abandoned horses**
    sheep, 81-5-103
Advertising
    estrays, following possession, 81-4-603, 81-4-605
    horse herd districts, sale of horses wrongfully entering, 81-4-326
    trespassing, sale, 76-16-316
Affidavits
    arrest and examination of violators, 81-1-202
    departmental employees, taking, 81-2-102
    ownership and county, determination for indemnity, 81-2-201, 81-2-204
Agisters' liens, Title 71, chapter 3, part 12, See **LIENS**
Agricultural marketing associations, 35-17-103, See **AGRICULTURAL MARKETING ASSOCIATIONS**
Agricultural practices, sustainable, 20-25-233 — 20-25-236
Aircraft harassment prohibited, 67-1-204, 81-7-506
Alpacas, 15-1-101, 15-24-921, 81-2-702, 81-4-201, 81-4-214, 81-4-306, 81-4-401, 81-4-402, 81-4-601, 81-5-101, See also **TAXATION, PROPERTY**, **Livestock**
Animal facilities, protection, Title 81, chapter 30, part 1
Animal health division, licenses issued by, 49-3-204, 81-23-105
Animal health laws
    administrator
        appointment and qualifications, 81-1-301
        duties, 81-1-302
        pork research and marketing committee, member, 2-15-3103
    federal veterinary inspectors, 81-1-304
    revenue, 81-2-102
Animal Importation Permit and Health Certificate Act of 1981, Title 81, chapter 2, part 7
Archers' use of, rules, 87-1-304
Artificial insemination, Title 81, chapter 2, part 4
    administration of provisions, 81-2-402
    sires, 81-2-401, 81-2-403
Associations
    breed, 81-4-211, 81-8-213, 81-8-214
    dealers, licenses, 81-8-271
    "family business entity" defined, 81-3-211
    local, 81-4-503, 81-8-252
    markets, certificates of public convenience, 81-8-251
    protective, See **Cattle protective districts**; **County**, livestock protective committees
    renderers, requests to remove dead or fallen animals, 81-9-313
    sheep growers, 81-7-302, 81-7-305
    stockgrowers, 81-8-252
    woolgrowers, 81-8-252
Auctions, See **AUCTIONS AND AUCTIONEERS**
Baby animals
    sales unlawful when, 81-8-401, 81-8-402
    unborn young as goods, 30-2-105, 30-2-501, 30-9-109
Bang's disease, See **Brucellosis**; **Disease control**; **Indemnification**
Barbed wire, 81-4-104 — 81-4-108
Biologic products, curatives, and preventive agents, 81-2-102, 81-2-704
Bison, 15-1-101, 15-24-921, 15-24-922, 81-3-201, 81-5-101, 81-5-104, 87-1-215, See also **Estrays**; **Importation**; **Marks and brands**; **Running at large**; **FISH AND WILDLIFE**; **MEAT AND MEAT PRODUCTS**; **TAXATION, PROPERTY**, **Livestock**
Boarding of, See **BAILMENT AND BAILEES**, **Animals**; **LIENS**, **Agisters' liens**

LIVESTOCK (Continued)

Bounty claims on predators, Title 81, chapter 7
Brand enforcement administrator
  crimestoppers commission, member, 2-15-3104
  pork research and marketing committee, member, 2-15-3103
Brands, See **Marks and brands**
Breed associations, 81-4-211, 81-8-213, 81-8-214, 81-8-216
Brucellosis, See also **Disease control**
  importation of animals with positive reaction, 81-2-703
  slaughter of diseased animals, See **Indemnification**
  vaccination requirement and exemption, 81-2-801
    penalty for violation, 81-2-805
Buffalo, 15-1-101, 15-24-921, 15-24-922, 81-5-101, 81-5-104, 87-1-215, See also **Estrays; Importation; Running at large; FISH AND WILDLIFE, Bison; MEAT AND MEAT PRODUCTS; TAXATION, PROPERTY, Livestock**
Bulls, See **Estrays; Running at large**
Butchers and meat peddlers, Title 81, chapter 9, See **MEAT AND MEAT PRODUCTS, Establishments**
Carriers, See **Transporting and transporters; CARRIERS, Freight carriers; MOTOR CARRIERS; RAILROADS**
Casualty insurance, See **INSURANCE, CASUALTY**, generally
Cattle guards
  county roads, 7-14-2130
  highways, 60-7-103
  railroads
    eminent domain, 70-30-301, 70-30-307
    placement and maintenance, 69-14-701, 69-14-703, 69-14-706
Cattle protective districts
  committees
    members, selection, 81-6-202, 81-6-207
    powers and duties, 81-6-203, 81-6-204, 81-6-208, 81-6-209
  multiple counties, 81-6-201, 81-6-205
  single county, 81-6-206, 81-6-210
  tax levies, 81-6-204, 81-6-205, 81-6-209, 81-6-210
Certificates, See **Hide dealers and buyers; Inspections; Markets and marketing**
Change of ownership, See **Owners and ownership**
Cities or towns, ordinances for inspections, 81-2-105, See also **Running at large**
Close corporations, See **CLOSE CORPORATIONS**
Commercial feeds, Title 80, chapter 9, See **COMMERCIAL FEEDS**
Commercial transportation, 69-12-405
Committees, See **Cattle protective districts; County**, livestock protective committees; **Pork research and marketing**
Commodities, exemption from securities transactions, 30-10-103, 30-10-105
Conservancy districts, to conserve and develop water supply, 85-9-102, See **WATER CONSERVANCY DISTRICTS**
Consignment permits, 81-2-203, 81-3-205, 81-3-211, 81-3-212, 81-3-231
Containment, Title 81, chapter 4, See **Herd districts; Horse herd districts; Running at large**; See also **FENCES**
Cooperative marketing, See **AGRICULTURAL MARKETING ASSOCIATIONS**
County
  fairs, Title 7, chapter 21, part 34
  inspectors, 7-21-3211 — 7-21-3213, See also **Inspections**
  livestock protective committees, 81-6-101 — 81-6-103
    administration, 81-6-107, 81-6-108
    cooperation with adjoining county, 81-6-107
    deputy, special — recommendation for, 81-6-105

LIVESTOCK (Continued)
County (Continued)
  livestock protective committees (Continued)
    discontinuance, 81-6-106
    petitions, 81-6-101, 81-6-106
    stockmen's special deputy fund, 81-6-104, 81-6-105
    tax levies, 81-6-101, 81-6-104, 81-6-106
  roads
    control on or near, 7-14-2130
    emergency areas, in, 7-14-2129
    stock lanes, creation, 7-14-2621
Cows
  brucellosis vaccination requirement, 81-2-801
  production records, false representation, 81-8-501, 81-8-502
Crimestoppers Act, Title 81, chapter 6, part 3
Crimestoppers Commission, 2-15-3104
Cruelty to animals, 45-8-211, 81-30-103
Dairies and dairy products, Title 81, chapter 21, See **DAIRIES AND DAIRY PRODUCTS**
Damages, See **Liability**
Dead or fallen animals, See **Rendering or disposal plants**
Dealers, 81-8-213, See **Markets and marketing**; See also **Hide dealers and buyers**
Deposit, See **BAILMENT AND BAILEES, Animals**
Deputy stock inspector, 81-6-105, See **Inspections**
Dipping, supervision expenses, 81-2-109, 81-2-704
Disease control, Title 81, chapter 2
  animal health laws, See **Animal health laws**
  areas for, 81-2-301 — 81-2-303
  artificial insemination, fitness of sires, 81-2-403
  authority, 81-2-101, 81-2-105
  brucellosis, 81-2-703, 81-2-801, 81-2-805
  buffalo, wild, 87-1-215
  buildings, destruction when, 81-2-102
  carcasses of animals, disposal, 81-2-108, 81-9-218, 81-9-231
  carriers' facilities, disinfection and cleaning, 81-2-110
  cooperation by public officers, 81-2-106
  county livestock protective committees, duties, 81-6-103, 81-6-105
  departmental powers, 81-1-102, 81-2-102, 87-4-408, 87-4-424
  diseased animals running at large unlawful, 81-2-108, See also **Running at large**
  disinfection
    carriers' facilities, 81-2-110
    property, destruction, 81-2-102, 81-2-104
    supervision expenses, 81-2-109, 81-2-704
  disposal of carcasses, 81-2-108, 81-9-231
  emergencies, 81-2-111, 81-21-104
  expenses, payment, 81-2-109
  federal rules, adoption, 81-2-104
  food, diseased animals as, 50-31-202
  game animal farms, 87-4-408, 87-4-415, 87-4-424
  garbage feeders, Title 81, chapter 2, part 5, See **Garbage feeders**
  general provisions, 81-2-102
  health certificates, See **Importation**, permits and health certificates
  importation of diseased animals, 81-2-703, 87-4-424, 87-5-703, See **Importation**
  indemnity, See **Indemnification**
  injunction, 81-2-111, 81-21-104
  inspections, 81-2-102, 81-2-103, See **Inspections**
  markets, diseased animals in, 81-8-215, 81-8-216
  meat establishments, carcasses or animals, 81-9-218, 81-9-231, 81-9-234

LIVESTOCK (Continued)
Disease control (Continued)

- poultry, 81-20-101, 81-20-102, See also **POULTRY AND EGGS**
- property, destruction, 81-2-102, 81-2-104
- quarantines, See **Quarantines**
- reporting of diseases, 81-2-107
- revenue for, Const., XII, 1
- rules and orders for, 81-2-102 — 81-2-104
- semen, fitness of sires, 81-2-403
- slaughter of animals, See **Indemnification**
- special deputy, duties, 81-6-105
- testing, 81-2-103, 81-2-301
- treatment expenses, 81-2-109
- tuberculin, 81-2-103, 81-2-209, 81-2-601 — 81-2-603, 81-2-703
- vaccination requirements and penalty, 81-2-801, 81-2-805
- veterinarians, Title 37, chapter 18
- violation of provisions, 81-2-113
  - civil liability, 81-2-114
- wild buffalo, 87-1-215

Dispersal sales, 81-8-213, 81-8-260
Disposal plants, See **Rendering or disposal plants**
Districts, See **Cattle protective districts; Herd districts; Horse herd districts**
- city-county consolidation provisions, nonapplicability, 7-3-1101
- inspectors assigned to, 81-1-204

Dogs — destroying, harassing, or injuring, 7-23-2109, 81-7-401 — 81-7-403
Driving of animals, See **Herding**
Drowning, notice to owner when saved, 70-5-103
Economic development bonds, Title 17, chapter 5, part 15
Eggs, Title 81, chapter 20
Elk, 81-3-201, See **Marks and brands**
Embryo transfers, 37-18-102, 37-18-104
Enforcement, funding, 15-24-921
Entry permits, 81-3-214, See also **Importation**
Estrays, Title 81, chapter 4, part 6
- branding, 81-4-604
- determination of ownership, 81-4-601
- expenses, payment, 81-4-605
- finders, duty, 70-5-103
- penalties for violations, 81-4-621
- sale
  - auction, 81-4-603, 81-4-604
  - description of estrays sold, publication, 81-4-606
  - markets, at, 81-8-262, 81-8-263
  - notice, 81-4-603
  - proceeds, 81-4-603, 81-8-262, 81-8-263
    - disposition, 81-4-605, 81-4-606, 81-8-263
- shipment, 81-4-603
- taking into possession
  - authorization, 81-4-602, 81-8-262
  - disposition following, 81-4-603, 81-8-263
- unlawful transportation, 81-3-203
- violations, penalties, 81-4-621

Fairs, Title 7, chapter 21, part 34
Farm Animal and Research Facilities Protection Act, Title 81, chapter 30, part 1
Farm mutual insurance companies, See **INSURERS, FARM MUTUAL**
Federal government
- dealers, bond requirements, 81-8-271

LIVESTOCK (Continued)
Federal government (Continued)
- diseased animals, slaughter — compensation, 81-2-201, 81-2-210
- standards, applicability
  - dealers, 81-8-231, 81-8-273
  - disease control, 81-2-102, 81-2-104
- territory, watering within, 2-1-202, 2-1-209
- veterinary inspectors, 81-1-304

Feed for, Title 80, chapter 9, See **COMMERCIAL FEEDS**
Feedlots, dead animals in, 81-3-215, 81-3-232
Fences, See **FENCES**
Fighting exhibition provisions, nonapplicability when, 45-8-210
Financing statement, See **Security agreements**
Finders, duty of notice to owners, 70-5-103
Fines, disposition, 81-3-231, 81-4-202, 81-8-216, 81-8-279, See also specific violation under **Violations**
Foot-and-mouth disease, See **Disease control**; **Slaughter of diseased animals**
Forests, national — in, See **Running at large**
Fort Peck Dam territory, watering within, 2-1-209, 85-20-201
Fraudulent changes in marks and brands, See **Marks and brands**
Game animal farms, applicability of livestock laws, 81-3-102, 81-3-201, 87-4-408, 87-4-414, 87-4-415
Garbage feeders, Title 81, chapter 2, part 5
- administration and enforcement of provisions, 81-2-504
- garbage
  - airplanes, originating on or removed from, 81-2-510
  - cooking or other treatment, 81-2-509
- hearings, 81-2-507, 81-2-508
- injunction, 81-2-511
- inspections, 81-2-504, 81-2-505, 81-2-510
- licenses, 81-2-502
  - applications, 81-2-503, 81-2-504
  - discrimination in issuance prohibited, 49-3-204
  - revocation, 81-2-508
- records, 81-2-505
- restraining orders, 81-2-507
- violations, 81-2-502, 81-2-507, 81-2-511

Good faith
- beef or veal, slaughter for own use, 81-9-112
- county officers, boards, and employees — actions in, 81-4-328, 81-4-515
- registered livestock sales, auctioneers or agents, 81-8-501
- security agreements, collection or payment of money, 81-8-305

Goods, unborn young as, 30-2-105, 30-2-501, 30-9-109
Grazing, Title 76, chapter 16, See **GRAZING DISTRICTS**
Harassment prohibited
- aircraft, 67-1-204, 81-7-506
- snowmobiles, 23-2-633

Health, See **Animal health laws**; **Disease control**; **Importation**, permits and health certificates
Herd districts, See also **Horse herd districts**
- abolishment, 81-4-301, 81-4-304
- creation, size, and location, 81-4-301
- dissolution, 81-4-302
- effective period, 81-4-301, 81-4-305
- exclusion of government land, 81-4-303
- introduction of livestock, penalty, 81-4-309
- joint districts, 81-4-304

LIVESTOCK (Continued)
Herd districts (Continued)

- protests, 81-4-301, 81-4-305
- running at large within, penalty, 81-4-306
- trespassing animals
  - impounded animals, retrieval — penalty, 81-4-308
  - introduction of livestock, penalty, 81-4-309
  - retention for damages and keep, 81-4-307
- violations, 81-4-305 — 81-5-309

Herding
- county livestock protective committees, duties, 81-6-103, 81-6-105
- exemption from permit and certificate provisions, 81-3-212
- grazing districts, in vicinity of, 76-16-309
- highways, on, 60-7-204
- liens for labor, Title 71, chapter 3, parts 4 and 12, See **LIENS**, **Agisters' liens**; **Farm laborers' liens**
- snowmobiles, with, 23-2-633
- special deputy, duties, 81-6-105
- unlawful, 81-5-101, 81-5-102

Hide dealers and buyers, Title 81, chapter 9, part 4, See also **Markets and marketing**
- hide certificates, 81-9-401, 81-9-402
  - exhibiting, 81-9-111
  - falsification, penalty, 81-9-421
- identification tags, affixation and penalty, 81-9-402, 81-9-421
- inspection of hides, 81-9-403
- licenses, 81-9-411
  - discrimination in issuance prohibited, 49-3-204
  - failure to have, 81-9-422
  - revocation, 81-9-412
- mutilation or concealment of hides, 81-9-423
- seizure and sale of hides, 81-9-403
- violations, 81-9-421 — 81-9-423

Hides, See **Hide dealers and buyers**; **Rendering or disposal plants**; **MEAT AND MEAT PRODUCTS**, **Establishments**

Highways, on, See also **HIGHWAYS**
- grazing provisions, 60-7-201 — 60-7-203
- herding on, 60-7-202, 60-7-204, 60-7-205
- lanes or trails for, 60-4-103
- open range, 60-7-102, 81-4-203, 81-4-501

Horse herd districts, See also **Herd districts**
- creation, size, and location, 81-4-322
- definition of horses, 81-4-321
- dissolution, 81-4-323
- liability of officers, 81-4-328
- running at large within, prohibited, 81-4-324
- wrongful entry, 81-4-325 — 81-4-327

Horses, See this main category generally; **HORSES AND HORSERACING**; **MEAT AND MEAT PRODUCTS**

Hours of employment for laborers, Const., XII, 2

Illegal branding, See **Marks and brands**

Importation
- baby animals, unlawful when, 81-8-401, 81-8-402
- brand inspections, See **Marks and brands**; **Inspections**
- brucellosis vaccination requirement and exemption, 81-2-801
- entry permits, 81-3-214
- game farm animals, 87-4-414, 87-4-415, 87-4-424
- inspections and tests prior to, 81-2-102

LIVESTOCK (Continued)
Importation (Continued)

- notification to department of revenue, 15-24-905
- permits and health certificates, Title 81, chapter 2, part 7
  - citation of animal importation permit and health certificate act of 1981, 81-2-701
  - consignment requirements, 81-2-706
  - fur farms, applicability, 87-4-1009
  - game farm animals, 87-4-414, 87-4-415
  - game bird farms, applicability, 87-4-910
  - penalty for violations, 81-2-708
  - quarantine of animals, 81-2-704
    - lien, 81-2-705
  - requirements, waiver, and exemptions, 81-2-703
  - rulemaking power, 81-2-707
- prohibited when, 81-2-112
- transportation permits, 81-3-214

Impoundment, 7-14-2129, 81-4-308, 81-4-403 — 81-4-410, 81-4-501, See also **Roundup of abandoned horses; Running at large**

Indemnification, Title 81, chapter 2, part 2
- affidavit of ownership and county, 81-2-201, 81-2-204
- appraisal of animals or other property, 81-2-104, 81-2-201, 81-2-204
- buildings, destruction, 81-2-102
- carcasses, sale, 81-2-204, 81-2-208
- claims for indemnity, presentation, 81-2-204
- classification of animals, 81-2-201
- class 2 animals, 81-2-205, 81-2-209
- disease control areas, in, 81-2-301
- federal compensation, 81-2-201, 81-2-210
- federal rules, adoption, 81-2-104
- forfeiture of indemnity, 81-2-210
- funds for, 81-2-203, 81-2-207
- liability, 81-2-201, 81-2-207
- no indemnity when, 81-2-201, 81-2-209
- property other than livestock, 81-2-202, 81-2-204
- required, 81-2-102
- sale of carcass, 81-2-204, 81-2-208

Industry, promotion and protection, 81-1-102, 81-2-102, 81-6-103, 81-6-105, 81-8-212

Infectious diseases, See **Disease control**

Injuring or killing
- aerial harassment or injury prohibited, 81-7-506
- brands fraudulently changed, seizure and killing of animal to ascertain mark or brand, 81-3-221 — 81-3-223
- criminal mischief, 45-6-101
  - fish and game wardens, enforcement powers, 87-1-504, 87-1-505
- cruelty to animals, 45-8-211, 81-30-103
- diseased animals, See **Indemnification**
- dogs — injuring, harassing, or destroying livestock, 81-7-401 — 81-7-403
- fences, defective — liability, 81-4-103, 81-4-104, See also **FENCES**
- herding upon railroad tracks, 81-5-102
- inspections, during, 81-2-201
- motor vehicles, collision with, 60-7-203
- predators, Title 81, chapter 7, See **PREDATORS AND PREDATOR CONTROL**
- railroads, upon, See **RAILROADS, Livestock**
- snare traps, from, 87-1-102, 87-3-107
- stock-killing bears, mountain lions, or bobcats — means of pursuit, 87-3-127
- tattooing of captured wild animals, applicability, 87-1-234
- testing, during, 81-2-201

LIVESTOCK (Continued)
Injuring or killing (Continued)

- trespassing livestock, injury while retained, 81-4-217

Inspections, See also **MEAT AND MEAT PRODUCTS**
- animals injured or killed during, payment for, 81-2-201
- certificate of
  - endorsements, 81-3-211
  - issuance, 81-3-203, 81-3-211, 81-3-213, 81-8-261
  - possession, to be in, 81-3-211, 81-3-231
  - receipt for bill of sale, 81-3-210
- change of ownership, prior to, 81-3-204, 81-3-205, 81-3-210 — 81-3-212
- city ordinances, 81-2-105
- county or state line, 81-3-210
- county livestock protective committees, duties, 81-6-103, 81-6-105
- dairy cattle, 81-2-103, See also **DAIRIES AND DAIRY PRODUCTS**
- daylight, to be made in, 81-3-211
- dead or fallen animals, 69-14-712, 81-3-215, 81-3-232, 81-9-313, 81-9-315, 81-9-316
- dealers, 81-8-232, 81-8-273
- disease control, for, 81-2-102, 81-2-103, 81-2-301
- estrays, authority, 81-4-602
  - branding, 81-4-604
  - sale, 81-4-604, 81-8-262, 81-8-263
  - taking into possession, 81-4-602, 81-4-603, 81-8-262, 81-8-263
- exceptions, 81-3-212
- expenses, 81-2-109, 81-2-704, 81-3-205, 81-9-113
- failure to have, 81-3-211, 81-3-231 — 81-3-233
- federal veterinary inspectors, 81-1-304
- feedlots, dead animals in, 81-3-215, 81-3-232
- fees, 81-3-205, 81-3-211, 81-9-113
- food commodities, 81-8-701, 81-8-702
- game farm animals, 87-4-408, 87-4-414, 87-4-415
- garbage feeders' premises and equipment, 81-2-504, 81-2-505, 81-2-510
- grazing districts, trespassing livestock — notice information, 76-16-315
- hide certificates, 81-9-316, 81-9-402
- hides, 69-14-712, 81-9-111, 81-9-112, 81-9-316, 81-9-403
- horse herd districts, horses wrongfully entering, 81-4-326 — 81-4-328
- law enforcement officers, designation as, 81-1-201
- loading and unloading facilities, designation, 81-3-206
- market consignment permits, issuance, 81-3-203
- markets
  - certificate of inspection, 81-8-261
  - certificates of public convenience, 81-8-232
  - fees, 81-3-205
  - reports and records, 81-8-258
  - required, 81-3-231
  - sale without, unlawful, 81-3-211, 81-3-212
- marks and brands, required, 81-3-211, 81-3-213
  - certificates of inspection, inclusion, 81-3-203
  - county road emergency areas, livestock running on, 7-14-2129
  - dead or fallen animals, 69-14-712, 81-3-215, 81-3-232, 81-9-313, 81-9-315, 81-9-316
  - estrays, 81-8-263
  - exceptions, 81-3-212
- meat and poultry inspection act, 81-9-216 — 81-9-220, 81-9-226 — 81-9-236, See **MEAT AND MEAT PRODUCTS**
- penalties for violations, 81-3-231 — 81-3-233
- quarantine of diseased animals, 81-8-215, 81-8-216
- rendering or disposal plants, production of records, 81-9-315

LIVESTOCK (Continued)
Inspections (Continued)

- removal from county, prior to, 81-3-205, 81-3-211, 81-3-231
- removal from state, 81-3-213, 81-3-233
- revenue, Const., XII, 1
- rules and orders, 81-2-102, 81-2-103, 81-3-202
- sanitary conditions, See **Sanitary conditions**
- seizure and sale provisions, 81-3-204, 81-3-221 — 81-3-223, 81-9-403
- stock inspectors, 81-3-201, 81-9-401
  - appointment, 7-21-3211, 81-1-201
    - confidentiality, 7-21-3212
  - compensation, 7-21-3212, 81-1-203, 81-3-205
  - county road emergency areas, livestock running on, 7-14-2129
  - districts, assignment to, 81-1-204
  - duties, 81-1-202, 81-3-203
  - employment, 7-21-3211
  - power, 7-21-3211, 81-1-201
- transportation permits, issuance, 81-3-203, 81-3-214
- trespassing animals, notice, 76-16-315, 81-4-217, 81-4-307
- vehicles, equipment, or other property used in theft of livestock — sale, 81-5-110, 81-5-111
- violations, penalties, 81-3-231 — 81-3-233

Institutions, state — permitted industry, 53-1-301
Insurance, See **INSURANCE, CASUALTY**, generally; **INSURERS, FARM MUTUAL**
Label, Montana quality, Title 81, chapter 8, part 7
Laboratory tests and services, 81-2-102, 81-2-704
Laborers

- hours of employment, Const., XII, 2
- income tax withholding exemption, 15-30-201
- liens of, Title 71, chapter 3, parts 4 and 12, See **LIENS**, **Agisters' liens**; **Farm laborers' liens**
- minimum wage, 39-3-402, 39-3-404
  - exclusions, 39-3-406
- overtime compensation, 39-3-402, 39-3-405
  - exclusions, 39-3-406
- paydays and rate of pay, notice not required, 39-3-203
- unemployment insurance coverage, 39-51-205, See **UNEMPLOYMENT INSURANCE, Agricultural labor**
- workers' compensation coverage exclusions, 39-71-401

Liability

- civil, 81-2-114
- dog owners, of, 81-7-402
- expenses, for, 81-2-109, 81-2-704
- farm animal and research facilities protection, action for damages, 81-30-104
- fence maintenance, for, 81-4-103, 81-4-104
- financial, 81-8-234
- herd districts, trespassing or unlawful introduction, 81-4-307, 81-4-309, 81-4-325
- horses
  - retention and sale for damages and care, 81-4-326
  - wrongfully in horse herd districts, penalty, 81-4-325
- importation from known disease areas, for, 81-2-112
- indemnity, action by dissatisfied owner, 81-3-223
- officers and employees, of, 81-4-328, 81-4-515
- tresspassing stock, for, 81-4-215 — 81-4-217, 81-4-220

Liens upon, See **Security agreements**; **LIENS, Agisters' liens**; **Livestock**; **SECURED TRANSACTIONS, Agricultural products**

LIVESTOCK (Continued)

Livery
  keepers, liens for labor, Title 71, chapter 3, parts 4 and 12, See **LIENS, Agisters' liens; Farm laborers' liens**
  stables, 7-21-4204
Livestock Crimestoppers Act, Title 81, chapter 6, part 3
Livestock Marketing Act, Title 81, chapter 8, part 2, See **Markets and marketing**
Llamas, 15-1-101, 15-24-921, 15-24-922, 81-4-201, 81-5-101, 81-5-104, See also **Estrays; Importation; Marks and brands; Running at large; TAXATION, PROPERTY, Livestock**
Loan for use, duty of care, 70-7-105, See also **PROPERTY, PERSONAL, Loan for use**
Market consignment permits, 81-3-203, 81-3-205, 81-3-211, 81-3-212, 81-3-231
Marketing associations, 35-17-103, See **AGRICULTURAL MARKETING ASSOCIATIONS**
Market release certificates, 81-3-211, 81-3-231
Markets and marketing, Title 81, chapter 8, part 2
  agents for, 81-8-271
  bad checks issued by, penalty, 81-8-235
  baby animals, sales prohibited when, 81-8-401, 81-8-402
  bond requirements, 81-8-271
    appellant, filing, 81-8-255
    noncompliance, 81-8-236
    nonmarket sales, 81-8-214, 81-8-216
    off-premises sales, 81-8-259
  brand and mark inspections, See **Inspections**, marks and brands
  breed or breed association sales, 81-8-213, 81-8-214, 81-8-216
  certificates of public convenience
    appeals, 81-8-255
    applications
      contents, verification, and filing, 81-8-251
      hearings, 81-8-252
    cancellation, 81-8-216, 81-8-254
    discrimination in issuance prohibited, 49-3-204
    failure to have, 81-8-236
    issuance, 81-8-252
    penalties for violations, 81-8-216
    posting, 81-8-232
    required, 81-8-236, 81-8-251
    revocation or suspension, 81-8-235, 81-8-254, 81-8-255
    transfer of ownership, 81-8-253
  certificates for release, 81-3-211, 81-3-231
  citation of livestock marketing act, 81-8-211
  consignment permits, 81-3-203, 81-3-205, 81-3-211, 81-3-212, 81-3-231
  custodial accounts, failure to establish and properly use, 81-8-216
  dealers licenses
    application and fee, 81-8-271
    discrimination in issuance prohibited, 49-3-204
    failure to have, 81-8-236
    issuance, 81-8-272
    posting, 81-8-232
    renewal, refusal, 81-8-273
    required, 81-8-236, 81-8-271
    revocation or suspension, 81-8-235, 81-8-274
    termination, 81-8-275
  definitions, 81-8-213
  departmental duties, 81-8-231

LIVESTOCK (Continued)
Markets and marketing (Continued)

- diseased animals, 81-8-215, 81-8-216
- dispersal sales, 81-8-213, 81-8-260
- enforcement of provisions, 81-8-231
- estrays, See also **Estrays**
  - sale, 81-8-262, 81-8-263
  - shipment to, 81-4-603
- fees, 81-8-256, 81-8-271, 81-8-275, 81-8-276
- financial
  - responsibility, 81-8-234, 81-8-235, 81-8-251, 81-8-273
  - statements, 81-8-276
- hearings, 81-8-235, 81-8-252 — 81-8-254, 81-8-274
- “immediate resale” defined, 81-8-213
- injunction, 81-8-236
- inspections and inspectors, 81-8-261, See also **Inspections**
- institutions, state — permitted industry, 53-1-301
- investigation, 81-8-254
- jurisdiction, 81-8-217
- liability to
  - owners of livestock, 81-8-233
  - secured parties, 81-8-301
- mark and brand inspections, See **Inspections**
- nondelivery of livestock to, 81-3-231
- nonmarket sales, 81-8-214, 81-8-216
- notices, 81-8-235, 81-8-252 — 81-8-255, 81-8-274
- off-premises sales, 81-8-259
- overtime compensation exclusions for laborers, 39-3-406
- ownership of animals unknown, sale of animals, 81-8-262, 81-8-263, See also **Estrays**
- payment for livestock transactions, 81-8-234, 81-8-235
- penalties for violations, 81-8-235, 81-8-279
- pork research and marketing act, Title 81, chapter 8, part 6, See **Pork research and marketing**
- posting of certificate or license, 81-8-232
- public convenience and necessity, determination, 81-8-252
- purebred livestock shows and sales, 81-8-503, 81-8-504
- purpose of provisions, 81-8-212
- quarantine of diseased animals, 81-8-215, 81-8-216
- records and reports, 81-8-258, 81-8-273, 81-8-278
- registered livestock, 81-8-501, 81-8-502
- security agreements, notices and brands, 81-8-301, See **Security agreements**
- test station sales, 81-8-213, 81-8-214, 81-8-216
- title warranty of livestock sold, 81-8-233
- transportation permits, 81-3-203, 81-3-205, 81-3-211, 81-3-214, 81-3-231
- violations, 81-8-235, 81-8-273, 81-8-274, 81-8-279

Marks and brands, Title 80, chapter 3
- abandoned horses, 81-4-501, See also **Roundup of abandoned horses**
- brand enforcement administrator, 2-15-3103, 2-15-3104
- county road emergency areas, livestock running on, 7-14-2129
- dead or fallen animals, 69-14-708, 69-14-712, 81-3-215, 81-3-232, 81-9-313, 81-9-315, 81-9-316
- designation and distinguishability, 81-3-103
- estrays, 81-4-601, 81-4-603, 81-4-604
- exclusive use of owner, 81-3-105
- feedlots, dead animals in, 81-3-215, 81-3-232
- fees, 81-2-107

LIVESTOCK (Continued)
Marks and brands (Continued)

- fraudulent changes
  - hides, on — seizure and sale, 81-9-403
  - killing of animal to ascertain brand, 81-3-221
    - compensation, 81-3-221 — 81-3-223
    - dissatisfied owner, action by, 81-3-223
  - markets, by, 81-8-254
  - registered livestock, 81-8-501, 81-8-502
  - seizure of livestock, 81-3-204, 81-3-221
- game farm animals, 81-3-102, 81-3-201, 87-4-408, 87-4-414
- grazing districts, trespassing livestock, 76-16-311, 76-16-317, See also **GRAZING DISTRICTS, Trespassing livestock**
- herd districts, trespassing livestock, 81-4-307
- hide certificates, information on, 81-9-316, 81-9-402
- histories, research and fee, 81-3-107
- horse herd districts, horses wrongfully entering, 81-4-326, 81-4-327
- horses, 81-3-211
- illegally branding, altering, or obscuring a brand, 45-6-327, 81-1-102, 81-1-202
- impounded livestock, ascertainment, 81-4-408
- inspections and inspectors, 81-3-203, See also **Inspections**
- market consignment permits, inclusion, 81-3-203
- meat establishments, hides, 81-9-112
- position on animal, designation, 81-3-103
- range stock, 81-8-311 — 81-8-315
- recording and records
  - application for, 81-3-103
  - branding without, unlawful, 81-3-102
  - copies and fee, 81-3-107
  - department as recorder, 81-3-101
  - owner of recorded brand, rights, 81-3-105
  - penalty for violations, 81-3-108
  - range stock, possession — records, 81-8-312, 81-8-314
  - rerecording
    - notice for, publication, 81-3-106
    - years for, designation, 81-3-104
  - security agreement notices to be listed, 81-8-301
- registered livestock, 81-8-501, 81-8-502
- rendering or disposal plants, hides, 81-9-313, 81-9-316, 81-9-402
- rules, 81-1-102, 81-3-202
- running at large, 81-4-207
  - branding unlawful when, 81-4-214
  - cities and towns, in, 81-4-404
- running irons prohibited, 81-4-214
- security agreements, recorded brands listed in, 81-8-304
- tattoos, 81-3-211
- transportation permits, 81-3-203, 81-3-211
- trespassing livestock, 76-16-311, 76-16-317, 81-4-217, 81-4-307

Meat and Poultry Inspection Act, 81-9-216 — 81-9-220, 81-9-226 — 81-9-236, See **MEAT AND MEAT PRODUCTS**
Migratory, taxation, 15-24-301, 15-24-302, 15-24-905, 15-24-906, 15-24-920
Milk and milk products, Title 81, chapter 23, See **DAIRIES AND DAIRY PRODUCTS**
Minimum wage for workers, 39-3-402, 39-3-404, 39-3-406
Mining operations, protection from, 82-4-202, 82-4-227, 82-4-231, 82-4-336
Modification of provisions, 30-1-111
Montana quality label, Title 81, chapter 8, part 7

LIVESTOCK (Continued)

Motor carriers, transportation by, 69-12-405, See also **Transporting and transporters**
Moving of animals, See **Herding; Transporting and transporters**
Name of ranch, registration, 30-13-112
National forests, in, See **Running at large**
Natural Areas Advisory Council, representation on, 2-15-3203
Nonmarket sales, 81-8-214, 81-8-216
Noxious weed management, 7-22-2101, 7-22-2109, See **WEEDS AND WEED CONTROL**
Noxious Weed Management Advisory Council, representation on, 80-7-805
Oil and gas operations, damage to lands, 82-10-501, See **OIL AND GAS, Surface owner**
Open range, 60-7-102, 81-4-203, 81-4-501
  abandoned horses on, See **Roundup of abandoned horses**
  dogs, injuring or destroying livestock upon, 81-7-403
  fencing on highway right-of-way, 60-2-208, 60-7-101 — 60-7-103
  grazing adjacent to, 60-7-202
  marks and brands, recording or rerecording required, 81-3-102
  predator control funds, 81-7-104, See also **PREDATORS AND PREDATOR CONTROL**
  running at large upon, See **Running at large**
Outfitters, care of, 37-47-305
Overtime compensation for workers, 39-3-402, 39-3-405, 39-3-406
Owners and ownership, 70-1-104
  actions by, 81-3-223
  butchering livestock or poultry for own use, 81-9-111, 81-9-112, 81-9-218
  change of
    bill of sale requirements, 81-3-210
    inspections prior to, 81-3-205, 81-3-210, 81-3-211
      exceptions, 81-3-212
      seizure of animals, 81-3-204
    seller's responsibilities, 81-3-211
  liability, See **Liability**
  notice to owner when animal saved, 70-5-103
  protection of rights and interests, 81-1-102, 81-1-202, 81-4-410
Packinghouses, Title 81, chapter 9, See **MEAT AND MEAT PRODUCTS, Establishments**
Permits, See **Importation; Markets and marketing; Transportation permits**
Pork Research and Marketing Act, Title 81, chapter 8, part 6
  account, research and marketing, 81-8-608, 81-8-610
  assessments on swine, 81-8-607
    payment, 81-8-608
    proceeds, 81-8-610
  citation of pork research and marketing act, 81-8-601
  committee, 2-15-3103, 81-8-602 — 81-8-606
  contracts for, 81-8-606, 81-8-611
  definitions, 81-8-602
  enforcement, 81-8-606
  funds, 81-8-609, 81-8-610
  purchaser's delivery of invoice to producer, 81-8-608
  violations generally, 81-8-612
Port authorities, purpose, 7-14-1104
Poultry, Title 81, chapter 20, See **POULTRY AND EGGS**
Predator control, Title 81, chapter 7, See **PREDATORS AND PREDATOR CONTROL**
Pregnancy testing, 37-18-102, 37-18-104
Principal and income determinations, 72-34-404, 72-34-409, See also **TRUSTS, Principal and income, determination**
Production records, false representation, 81-8-501, 81-8-502
Property rights, subject to, 70-1-104

LIVESTOCK (Continued)

Protective associations, committees, or districts, See **Cattle protective districts; County**, livestock protective committees
Public markets, Title 7, chapter 21, part 33
Public nuisance
  fallen fence as, notice and procedure, 81-4-105 — 81-4-108
  male equine animals running at large, as, 81-4-205
  odors, nuisance suit based on — barred, 27-30-101, 45-8-111, See also **NUISANCES**
Purebred livestock shows and sales, expenditures for, 81-8-503, 81-8-504
Quality label, Title 81, chapter 8, part 7
Quarantines
  expenses, payment, 81-2-109, 81-2-704, 81-2-705
  illegal entry, for, 81-2-704
  imposition, 81-2-102
  game farm animals, 87-4-415
  markets, diseased animals in, 81-8-215, 81-8-216
  meat establishments, animals in, 81-9-220
  poultry, 81-20-101, See also **POULTRY AND EGGS**
  rules and orders, 81-2-102, 81-2-103
  transitory cargo, compliance with rules, 81-2-703, 81-2-801
Racehorses, Title 23, chapter 4
Railroads
  protection provisions, See **RAILROADS, Livestock**
  tracks, herding upon — unlawful, 81-5-102
Ranch laborers, liens for labor, Title 71, chapter 3, parts 4 and 12, See **LIENS, Agisters' liens; Farm laborers' liens**
Rangeland and range management, Title 76, chapters 14 and 16
Rangeland Resources Committee, representation on, 2-15-3305
Range stock, taking possession, See **Running at large**
Recording of marks and brands, See **Marks and brands**
Registered livestock sales, 81-8-501 — 81-8-504
Removal, See also **Inspections**
  from county, 81-3-205, 81-3-211, 81-3-231
  from state, 81-3-213, 81-3-233
Rendering or disposal plants, Title 81, chapter 9, part 3
  dead or fallen animal, 81-9-311 — 81-9-315
  fee, 81-9-301
  hearings, 81-9-303 — 81-9-305
  hides, 81-9-313, 81-9-316
  identification tags, 81-9-312, 81-9-314, 81-9-316
  inspections, 81-9-302, 81-9-313, 81-9-316
  licenses, 81-9-301
    discrimination in issuance prohibited, 49-3-204
    revocation, 81-9-304 — 81-9-306
  meat inspection and establishment provisions, exemption, 81-9-218
  operation, restraining orders, 81-9-303, 81-9-305, 81-9-306
  railroads, disposal of killed livestock, 69-14-712
  records, 81-9-313
    falsification, 81-9-317
    inspection, 81-9-315
    tag numbers, 81-9-314, 81-9-316
  penalty for violations, 81-9-306, 81-9-317
  rules and orders, 81-9-302 — 81-9-304, 81-9-313, 81-9-315
  supervision, control, and inspection, 81-9-302
  tagging of animals, 81-9-314
  transportation, animals not to be removed during, 81-9-315

LIVESTOCK (Continued)
Rendering or disposal plants (Continued)

  violations, 81-9-317, See **Violations**
Repeal of provisions, 30-1-111
Research facilities, protection, Title 81, chapter 30, part 1
Rewards for information about crimes, 81-6-311
Rodent control, Title 7, chapter 22, part 22; Title 80, chapter 7, part 11
Rodeos, See **RODEOS**
Roundup of abandoned horses, Title 81, chapter 4, part 5
  abandonment of horses, unlawful, 81-4-502
  assessment of horses taken in, 81-4-511
  authorization, 81-4-503
  county officers and employees, 81-4-515, 81-4-516
  district for, 81-4-503, 81-4-505
  expenses, 81-4-503, 81-4-508
  fee, 81-4-509, 81-4-514
  foreman
    bond requirements, 81-4-505
    claim of ownership, notice for, 81-4-508
    delivery of horses, 81-4-506, 81-4-509
    report, 81-4-513
    sale of horses, 81-4-506
    supervision and designation, 81-4-505
  fund, abandoned horse, 81-4-503, 81-4-512, 81-4-514
  gathering horses prior to, unlawful, 81-4-507
  headquarters, 81-4-503, 81-4-505
  notice, form and publication, 81-4-504
  owners of horses
    claim of ownership, 81-4-508, 81-4-512
    gathering of horses prior to roundup, 81-4-507
    proof of ownership, 81-4-509, 81-4-512
    rights generally, 81-4-502, 81-4-507
    taxes and penalties, payment, 81-4-509, 81-4-512
  petition for, 81-4-503
  sale of horses, 81-4-506, 81-4-509
    notice, time, and title, 81-4-510
    postponement, 81-4-508
  taxes and penalties on horses, 81-4-509, 81-4-512, 81-4-514
Running at large, Title 81, chapter 4, part 2
  abandoned horses, 81-4-502, See also **Roundup of abandoned horses**
  animals enumerated, 81-4-201, 81-4-202, 81-4-306, 81-4-401, 81-4-402
  branding unlawful when, 81-4-214
  castration of animals, 81-4-207, 81-4-212
  cities and towns, in, 81-4-401, 81-4-402
    city or town council, powers, 7-23-4101
    impoundment notices
      contents, 81-4-404, 81-4-408
      duty to give, 81-4-403
      service, 81-4-405 — 81-4-407
    marks and brands, duty to ascertain, 81-4-408
    owners, duty to ascertain, 81-4-409
    provisions mandatory, 81-4-410
  county roads, in emergency areas, 7-14-2129
  diseased animals, unlawful, 81-2-108
  estrays, See **Estrays**
  grazing districts, within, Title 76, chapter 16, See **GRAZING DISTRICTS, Livestock;**
    Trespassing livestock

LIVESTOCK (Continued)
Running at large (Continued)

  herd districts, in — penalty, 81-4-306
  horse herd districts, within — prohibited, 81-4-324
  horses, abandoned, 81-4-502, See also **Roundup of abandoned horses**
  male equine animals, 81-4-209, 81-4-204
    castration, 81-4-207
    killing to prevent injury, 81-4-206, 81-4-208
    nuisance, as — abatement, 81-4-205
  "open range" defined, 60-7-102, 81-4-203, 81-4-501
  purebred bulls, 81-4-210, 81-4-213
    castration, 81-4-212
    female breeding cattle, to accompany, 81-4-211
  range stock, taking possession
    limitation on period of possession, 81-8-313
    mortgage, under, 81-8-312
    process, under, 81-8-311
    records, 81-8-314
    sale, 81-8-315
  strays, See **Estrays**
  trespassing stock,
    forests, marking boundaries of land and mining claims in, 81-4-218
      methods, 81-4-219
      right of action against trespassing stock, 81-4-220
    grazing districts, within, Title 76, chapter 16, See **GRAZING DISTRICTS, Trespassing livestock**
    liability of owners, 81-4-215
    planted trees, damage to, 81-4-216
    retention, 81-4-217
Running irons, 81-4-214
Rustling and rustlers, 81-6-103, 81-6-105, See also **Theft**
Sales, See also **SALES; SECURED TRANSACTIONS**
  baby animals, 81-8-401, 81-8-402
  breed or breed association, 81-8-213, 81-8-214, 81-8-216
  carcasses, 81-2-204, 81-2-208; See **MEAT AND MEAT PRODUCTS**, **Establishments**
  county livestock protective committees, duties, 81-6-103, 81-6-105
  dealers, See **Markets and marketing**
  dispersal, 81-8-213, 81-8-260
  estrays, See **Estrays**
  hides, See **Hide dealers and buyers**
  horses in herd districts, 81-4-326, 81-4-327, See also **Roundup of abandoned horses**
  "immediate resale" defined, 81-8-213
  lien foreclosure, 81-2-109
  markets for, See **Markets and marketing**
  meat establishments, Title 81, chapter 9, See **MEAT AND MEAT PRODUCTS, Establishments**
  nonmarket, 81-8-214, 81-8-216
  purebred or registered livestock, 81-8-501 — 81-8-504
  range stock running at large, 81-8-315
  security agreements, Title 81, chapter 8, part 3, See **Security agreements**
  seized livestock, 81-3-204
  special deputy, duties, 81-6-105
  swine, assessments on, 81-8-607, 81-8-608
  test station, 81-8-213, 81-8-214, 81-8-216
  tuberculin, 81-2-601 — 81-2-603
  unborn young as goods, 30-2-105, 30-2-501, 30-9-109
  vehicles, equipment, or other property used to steal livestock, 81-5-110, 81-5-111

LIVESTOCK (Continued)

Sanitary conditions
  butchers and meat peddlers, 81-2-102, 81-2-109
  cooperation by public officers, 81-2-106
  disease control, for, See **Disease control**
  garbage feeders' premises, 81-2-504
  inspection expenses, payment, 81-2-109
  rendering or disposal plants, 81-9-302
  rules and orders, 81-2-102, 81-2-106, 81-2-504
  slaughter of diseased animals, See **Indemnification**
Securities transactions, commodities exempt, 30-10-103, 30-10-105
Security agreements, See also **LIENS, Agisters' liens; Livestock**
  applicability of laws, 30-9-203, 30-9-423
  assignments, 81-8-301
  classification as goods, 30-9-109
  computerized filing system, See **SECURED TRANSACTIONS, Filing of financing statement**
  fees, 81-8-304
  money, collection or payment, 81-8-305
  notices, 81-8-301, 81-8-302
  satisfactions, filing, 81-8-301, 81-8-303
Security for cost of keeping and feeding abandoned horses, 81-4-508
Seizure
  animals
    abandoned horses, See **Roundup of abandoned horses**
    marks and brands fraudulently changed, for, 81-3-221 — 81-3-223
    retention and sale, 81-3-204, 81-4-307
  hides, sale, 81-9-403
  vehicles, equipment, and other property used to steal livestock, 81-5-104, 81-5-108 — 81-5-110
Semen, regulation of, Title 81, chapter 2, part 4, See also **Importation**, permits and health certificates
Sheep, See also this main category generally; **MEAT AND MEAT PRODUCTS**
  abandonment, penalty, 81-5-103
  dams, false representation of production records, 81-8-501, 81-8-502
  marks and brands, 81-3-201, See **Marks and brands**
  protective associations, 81-6-101, See **County**, livestock protective committees
  transportation permit system, 81-5-112
  wool laboratory, 20-25-227, 20-25-228
Shipment and shippers, See **Transporting and transporters**
Shows, promotion, 80-1-102
Slaughter, See **Hide dealers and buyers; Indemnification; Rendering or disposal plants; MEAT AND MEAT PRODUCTS**
Snare traps
  injury from, 87-1-102, 87-3-107
  removal, 87-3-507
Snowmobiles, driving or harassing animals with, 23-2-633
Stablekeepers, liens for labor, Title 71, chapter 3, parts 4 and 12, See **LIENS, Agisters' liens; Farm laborers' liens**
Starvation, notice to owner when saved, 70-5-103
State lands, recreational use
  closure of land when, 77-1-804
  damage claims, 77-1-809
State meat inspection program, Title 81, chapter 9, See **MEAT AND MEAT PRODUCTS**
Stock inspectors, 81-3-201, 81-9-401, See **Inspections**

LIVESTOCK (Continued)

Stock-killing wild animals, Title 81, chapter 7, See **PREDATORS AND PREDATOR CONTROL**
Stock lanes, 7-14-2621, 60-4-103
Stock water ponds, See **Water supply**
Stolen, 81-5-104, 81-5-108 — 81-5-111, See also **Theft**
Storage, 7-21-4202, See also **BAILMENT AND BAILEES**, **Animals**
Strays, See **Estrays**
Sustainable agricultural practices, 20-25-233 — 20-25-236
Tattoos, 81-3-211
Taxation, See **PREDATORS AND PREDATOR CONTROL; TAXATION, PROPERTY**
Testing
- animals killed or injured during, payment, 81-2-201
- disease control, for, 81-2-103, 81-2-301
- expenses, payment, 81-2-109, 81-2-704
- rules and orders, 81-2-102

Test station sales, 81-8-213, 81-8-214, 81-8-216
Theft, See also **CRIMES**, **Theft**
- arrest for, 81-1-202
- county livestock protective committees, duties, 81-6-103
- criminal charges, 45-6-301
- departmental duties, 81-1-102
- inspectors and detectives, See **Inspections**
- prosecution assistance
  - county inspector, 7-21-3211
  - departmental, 81-1-102
- rustling and rustlers, 81-6-103, 81-6-105
- seizure of animals, 81-3-204
- sheep, transportation permit system to prevent, 81-5-112
- vehicles, equipment, and other property used in
  - forfeiture proceedings, 81-5-104, 81-5-108, 81-5-109
  - sale, 81-5-110, 81-5-111
  - seizure, 81-5-104

Title transfer, interstate shipment, 30-2-401
Transportation permits
- entry permits, 81-3-214
- exceptions, 81-3-212
- fees, 81-3-205, 81-3-211, 81-3-214, 81-5-112
- grazing purposes, for, 81-3-203, 81-3-211
- issuance, 81-3-203, 81-3-211, 81-3-214
- possession, to be in, 81-3-211, 81-3-231
- validity, period of, 81-3-203, 81-3-211
- violations, penalties, 81-3-231, 81-5-112

Transporting and transporters, See also **CARRIERS**, **Freight carriers**; **MOTOR CARRIERS; RAILROADS**
- caretakers, transportation free or at reduced rates, 69-11-208
- commercial, 69-12-405
- county livestock protective districts, duties, 81-6-103, 81-6-105
- disinfection and cleaning of facilities, 81-2-110
- game farm animals, 87-4-408, 87-4-414, 87-4-415
- gross vehicle weight fees, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Gross vehicle weight fees**
- highway patrol officers' authority, 44-1-1004
- inspections, 81-3-212, See **Inspections**
- interstate shipment, 30-2-401, 81-3-212
- "livestock dealer" defined, 81-8-213

LIVESTOCK (Continued)
Transporting and transporters (Continued)
- market consignment permits, 81-3-203, 81-3-205, 81-3-211, 81-3-212, 81-3-231
- motor carrier, 69-12-405
- permits for, 81-3-203, 81-3-205, 81-3-1211, 81-3-214, 81-3-231
- rendering or disposal plant vehicles and equipment, 81-9-302
- repeal or modification of provisions, 30-1-111
- sheep, permit system rules — violation, 81-5-112
- special deputy, duties, 81-6-105
- stolen livestock, 81-5-104, 81-5-108 — 81-5-111, See also **Theft**
- strays, See **Estrays**, shipment
- uniform commercial code, effect, 30-1-111
- unlawful, 81-5-101, 81-5-102, See also **Herding**
- violations, penalties, 81-3-231, 81-5-112

Trespassing livestock, See **Herd districts**; **Running at large**; **GRAZING DISTRICTS**, **Trespassing livestock**
Tuberculin, See also **Disease control**
- importation of animals with tuberculosis, 81-2-703
- "milk" defined, 81-22-101
- sale or distribution, 81-2-601 — 81-2-603
- slaughter of animals for, 81-2-209, See **Indemnification**
- testing, rules for, 81-2-103

Unborn young, as goods, 30-2-105, 30-2-501, 30-9-109
Unemployment insurance coverage for laborers, 39-51-205, See **UNEMPLOYMENT INSURANCE**, **Agricultural labor**
Uniform Commercial Code
- effect, 30-1-111
- sales, See **Sales**; **SALES**
- security interests, See **Security agreements**; **SECURED TRANSACTIONS**

University system facilities, 20-25-302
Unlawful practices, See **Violations**
Vaccination requirement, 81-2-301 — 81-2-303, 81-2-801
Veterinarians, Title 37, chapter 18
Violations
- arrest for, 81-1-202
- baby animals, sales when, 81-8-401, 81-8-402
- brucellosis vaccination requirement, penalty, 81-2-805
- county road emergency areas, running on, 7-14-2129
- crimestoppers program, 81-6-313
- dealers, generally, 81-8-235, 81-8-273, 81-8-274, 81-8-279
- disease control areas, stock not gathered or inspected, 81-2-303
- disease control provisions generally, 81-2-113
- diseased animals running at large, 81-2-108
- dogs chasing or running livestock, 81-7-401, 81-7-403
- estrays, 81-3-203, 81-4-621
- farm animal protection, 81-30-103
- feedlots, noninspection of dead animals, 81-3-232
- fines, disposition, 81-3-231, 81-4-202, 81-8-216, 81-8-279, See also specific violation
- garbage feeders, 81-2-502, 81-2-507, 81-2-511
- herd districts
  - effective period, change — violations generally, 81-4-305
  - introduction of livestock, 81-4-309
  - running at large within, 81-4-306
  - trespassing animals, 81-4-307, 81-4-308
- herding
  - from customary range without owner's permission, 81-5-101
  - on highway, when, 60-7-205

LIVESTOCK (Continued)
Violations (Continued)
  herding (Continued)
    upon railroad tracks, 81-5-102
  hide dealers and buyers
    hide certificates, falsification, 81-9-421
    identification tags, failure to affix, 81-9-421
    licenses
      failure to have, 81-9-422
      revocation upon conviction of violations, 81-9-412
    mutilation or concealment of hides, 81-9-423
  highways, grazing or herding on, 60-7-201, 60-7-203, 60-7-205
  horse herd districts, wrongful entry of horses, 81-4-325
  horses, 81-4-502, 81-4-507
  importation of animals, 81-2-112
    permit and health certificate violations generally, 81-2-708
  inspections, 81-3-211, 81-3-231 — 81-3-233
  investigation, 7-21-3211
    expenses, liability, 81-2-109
  markets
    bad checks issued by, 81-8-235
    certificates of public convenience, 81-8-216, 81-8-254
    custodial accounts, failure to establish and properly use, 81-8-216
    financial responsibility, 81-8-235
    injunction, 81-8-236
    jurisdiction, 3-10-303, 81-8-217
    nonmarket sale provisions generally, 81-8-216
    penalties, 81-3-231, 81-8-216, 81-8-235
    quarantine of diseased animal provisions generally, 81-8-216
    sales, 81-3-211, 81-3-231, 81-4-307
  marks and brands
    illegally branding, altering, or obscuring a brand, 45-6-327, 81-1-102
    inspection requirements, 81-3-211, 81-3-231 — 81-3-233
    penalties, 81-3-108, 81-3-231
    prosecution, departmental assistance, 81-1-102
    recording or rerecording, 81-3-102, 81-3-108
    registered livestock, changed markings, 81-8-501, 81-8-502
    running at large, branding when, 81-4-214
    running irons, 81-4-214
  misdemeanor, jurisdiction, 3-10-303, 81-8-217
  odors, public nuisance exemption, 45-8-111
  penalties, 81-2-805, 81-3-231 — 81-3-233, 81-4-621, 81-8-216, 81-8-235, 81-8-279, 81-30-105
  pork research and marketing, 81-8-608, 81-8-612
  prosecution, 81-1-102, 81-6-313, 81-8-705
  railroads, 81-5-102, 69-14-706, 69-14-713
  registered livestock, sale under false registration, 81-8-502
  removal from state without inspection, 81-3-233
  rendering or disposal plants, 81-9-317
    licenses, 81-9-301, 81-9-303, 81-9-306, 81-9-315
  research facilities, protection, 81-30-103
  rewards for information about, 81-6-311
  running at large, 81-4-201, 81-4-202
    branding animals, when, 81-4-214
    cities and towns, in, 81-4-402
    diseased animals, 81-2-108
    herd districts, within, 81-4-306
    male equine animals, 81-4-204, 81-4-209

LIVESTOCK (Continued)
Violations (Continued)
 running at large (Continued)
  purebred bulls, 81-4-210, 81-4-213
  trespassing stock, taking from person retaining, 81-4-217, 81-4-308
 running irons, 81-4-214
 rustling, 81-6-103, 81-6-105
 snare traps, injury from, 87-1-102, 87-3-107
 swine purchaser's statements, alteration, 81-8-608
 theft, See **Theft**
 transportation, 81-5-112, 81-3-203, 81-3-231
 tuberculin sale or distribution, provisions generally, 81-2-603
 vaccination requirement, penalty, 81-2-805
Water Pollution Control Advisory Council, representation on, 2-15-2107
Water supply
 adjudication of rights, exemptions, 85-2-212, 85-2-222
 appropriation permit exemptions, 85-2-306
 beaverhead river and red rock river basins, partial closure — nonapplicability, 85-2-328
 beaver or muskrat damage to ponds, 87-3-501
 conservation and development, 85-9-102, See **WATER CONSERVANCY DISTRICTS**; See also **CONSERVATION DISTRICTS**, generally
 county water and/or sewer district projects, 7-13-2218
 federal territory, within, 2-1-202, 2-1-209
 grazing districts, Title 76, chapter 16
 recreational use, landowner permission required, 23-2-302
 state projects for, 85-1-102, 85-1-204, See **WATER**, **Projects**
 water quality districts, water withdrawals within — fee assessment prohibited, 7-13-4523
 water works, defined as, 85-1-102, 85-1-204, See **WATER**, **Projects**
 yellowstone river appropriations, exemption, 85-20-108, See also **YELLOWSTONE RIVER**, generally
Weed management, 7-22-2101, 7-22-2109, See **WEEDS AND WEED CONTROL**
Wildlife
 importation or introduction provisions, nonapplicability, 87-5-703
 taking to protect livestock, 87-3-130
Wool Laboratory, 20-25-227, 20-25-228

LIVESTOCK, DEPARTMENT OF
 See also **AGRICULTURE; ANIMALS; EXECUTIVE BRANCH**
Agents, authority, 81-2-101
Agisters' liens, Title 71, chapter 3, part 12, See **LIENS**
Agricultural marketing associations, 35-17-103, See **AGRICULTURAL MARKETING ASSOCIATIONS**
Animal health division, licenses issued by, 49-3-204, 81-23-105
Animal Importation Permit and Health Certificate Act of 1981, Title 81, chapter 2, part 7
Brands and marks
 enforcement administrator, 2-15-3103, 2-15-3104
 recorder, 81-3-101
Civil liability, 81-2-114
Commercial feeds, Title 80, chapter 9
Conservancy districts, to conserve and develop water supply, 85-9-102, See **WATER CONSERVANCY DISTRICTS**
Crimestoppers Act, Title 81, chapter 6, part 3
Dairies and dairy products, Title 81, chapter 22
Disease control, Title 81, chapter 2
 animals running at large prohibited, 81-2-108
 carriers' facilities, cleaning or disinfecting — expenses, 81-2-110
 duty to report and notice, 82-2-107

LIVESTOCK, DEPARTMENT OF (Continued)
Disease control (Continued)

- expenses, how paid, 81-2-109
- importation prohibited, 81-2-112
- rules
    - adoption, 80-2-103
- federal government, agreement, 80-2-104
- slaughter of diseased animals, indemnification, Title 81, chapter 2, part 2

Drought advisory committee, representation, 2-15-3308
Economic development bonds, Title 17, chapter 5, part 15
Estrays, Title 81, chapter 4, part 6
Fairs, Title 7, chapter 21, part 34
Farm Animal and Research Facilities Protection Act, Title 81, chapter 30, part 1
Fish, wildlife, and parks — department of, cooperation, 81-7-102, 87-1-215, 87-5-716
Fort peck dam territority, enforcement of laws within, 2-1-209
Garbage fed to swine, regulation, Title 81, chapter 2, part 5
Grazing, Title 76, chapter 16, See **GRAZING DISTRICTS**
Health, local boards — cooperation and assistance, 81-2-106
Herd districts, Title 81, chapter 4, part 3
Hide dealers and buyers, Title 81, chapter 9, part 4
Horses, abandoned — roundup, Title 81, chapter 4, part 5
Importation, regulation, Title 81, chapter 2 part 7
Injunctive remedies, 81-2-111
Inspectors and detectives, Title 81, chapter 1, part 2
Livestock Marketing Act, Title 81, chapter 8, part 2
Marks and brands, Title 81, chapter 3
Meat and Poultry Inspection Act, 81-9-216 — 81-9-220, 81-9-226 — 81-9-236
Milk and milk products, Title 81, chapter 23
Montana quality label, Title 81, chapter 8, part 7
Municipal corporations, authority, 80-2-105
Municipalities, impoundment of animals in, Title 81, chapter 4, part 4
Penalty for violations, 81-2-113
Pork Research and Marketing Act, Title 81, chapter 8, part 6
Poultry and eggs, Title 81, chapter 20
Powers, generally, 81-1-102, 81-2-102
Predator control, Title 81, chapter 7
Public markets, Title 7, chapter 21, part 33
Public officers, cooperation, 81-2-106
Rabies control, Title 50, chapter 23
Rangeland and range management, Title 76, chapters 14 and 16
Rendering or disposal plants, Title 81, chapter 9, part 3
Reports to governor, Const., VI, 15
Running at large, control, Title 81, chapter 4, part 2
Security agreements, Title 81, chapter 8, part 3
Transportation permits, 81-3-203, 81-3-211, 81-3-214, 81-5-112

LIVING WILLS
Age requirements, 50-9-102, 50-9-103
Cancellation or concealment

- declaration or revocation, 50-9-206
- do not resuscitate identification, 50-10-106

Cardiopulmonary resuscitation, See **Do not resuscitate**
Citation of Montana Rights of the Terminally Ill Act, 50-9-101
Coercion in execution of declaration, 50-9-206
Consent

- do not resuscitate identification — concealment, cancellation, defacement, or obliteration without, 50-10-106

LIVING WILLS (Continued)
Consent (Continued)

- withholding or withdrawal of treatment, by others, 50-9-106, 50-9-204

Declaration, 50-9-102
- age requirements, 50-9-102, 50-9-103
- cancellation or concealment, 50-9-206
- content, recording, 50-9-201
- effectiveness, 50-9-103
- execution, 50-9-103, 50-9-108, 50-9-206, 50-10-101
  - not to be required when, 50-9-205
- falsification, 50-9-206
- forms, 50-9-103, 50-10-107
- insurance, effect on, 50-9-205
- notification to physician, 50-9-103, 50-9-105
- operative when, 50-9-105
- previous, effect, 50-9-108
- reciprocity, 50-9-111
- revocation, 50-9-104
  - absence of notice, effect, 50-9-204
- unwillingness by physician to comply, 50-9-103, 50-9-203, 50-9-206
- validity, 50-9-103, 50-9-107

Definitions, 50-9-102
Designees, 50-9-103, 50-9-105, 50-9-204
Documentation, reliable, 50-9-102, 50-9-204
Do not resuscitate, 50-10-101
- adherence to protocol, 50-10-103
- form availability, 50-60-107
- fines, 50-10-106
- identification, 50-10-101 — 50-10-106
- immunities, 50-10-102
- insurance, effect on, 50-10-104
- order, 50-10-101 — 50-10-103
- penalties, 50-10-106
- protocol, 50-10-101, 50-10-103, 50-10-105
- revocation of identification, 50-10-106
- rules, 50-10-101, 50-10-105
- transfer of patients when, 50-10-103, 50-10-106
- violations, 50-10-106

Effect, reservations on, 50-9-205
Effectiveness, 50-9-103, 50-9-104
Emergency medical services personnel, 50-9-102, 50-10-101
- do not resuscitate provisions, 50-10-101 — 50-10-107
- immunities, 50-9-204, 50-10-102
- protocol, 50-9-102, 50-9-204
- revocation, witness to, 50-9-104

Euthanasia not authorized by, 50-9-205
Execution, 50-9-103
Falsification or forgery
- declaration or revocation, 50-9-206
- do not resuscitate identification, 50-10-106

Fines, 50-9-206, 50-10-106
Forms, 50-9-103, 50-10-107
Fraudulent practices, 50-9-206
Good faith, 50-9-106, 50-9-204
Health care facilities, 50-10-101
- do not resuscitate provisions, 50-10-101 — 50-10-103
- immunities, 50-9-204, 50-10-102

LIVING WILLS (Continued)
Health care facilities (Continued)

- transfer of patients when, 50-9-105, 50-9-203, 50-10-103

Health care providers, See **Physicians or health care providers**
Homicide, death resulting from not to be

- declaration procedures, 50-9-205
- do not resuscitate protocol, 50-10-104

Identification card or form, 50-9-102
Immunities, 50-9-204, 50-10-102
Insurance, effect on, 50-9-205, 50-10-104
Medical Examiners, Board of, 50-9-102, 50-10-101, 50-10-105
Medical records

- declaration, inclusion, 50-9-103
  - content, recording, 50-9-201
  - revocation, 50-9-104
- do not resuscitate order, 50-10-101
- terminal condition, determination — recording, 50-9-201, 50-9-206

Mercy killing not authorized by, 50-9-205, 50-10-104
Penalties, 50-9-206, 50-10-106
Physicians or health care providers, 50-9-102, 50-10-101

- content, recording, 50-9-201
- designee, physician as, 50-9-103
- do not resuscitate
  - immunities, 50-10-102
  - order, issuance, 50-10-101
- execution of declaration not to be required, 50-9-205
- immunities, 50-9-204, 50-10-102
- notification to physician, 50-9-103, 50-9-105
  - revocation, of, 50-9-104
- penalties, 50-9-206, 50-10-106
- pregnancy of patient, effect, 50-9-106, 50-9-202
- revocation, witness to and effectiveness, 50-9-104
- terminal condition, determination, 50-9-105, 50-9-106, 50-9-201, 50-9-206
  - recording, 50-9-201
- transfer of patients when, 50-9-105, 50-9-203, 50-9-206, 50-10-103, 50-10-106
- validity of declaration, presumption, 50-9-107
- withholding or withdrawal of treatment, 50-9-106, 50-9-204

Pregnancy, effect, 50-9-106, 50-9-202
Protocol, 50-9-102, 50-9-204, 50-10-101, 50-10-103, 50-10-105
Qualified patients, 50-9-102, 50-9-202, 50-9-204
Reciprocity, 50-9-111
Revocation, 50-9-104

- absence of notice, effect, 50-9-204
- concealment or withholding knowledge of, 50-9-206, 50-10-106
- falsification or forgery, 50-9-206

Rights of patients, 50-9-205, 50-10-104
Rulemaking authority, 50-9-110, 50-10-101, 50-10-105
Suicide, death resulting from not to be

- declaration procedures, 50-9-205
- do not resuscitate protocol, 50-10-104

Terminal condition, 50-9-102

- determination, 50-9-105, 50-9-106, 50-9-201, 50-9-206
  - recording, 50-9-201

Transfer of patients when, 50-9-105, 50-9-203, 50-9-206, 50-10-103, 50-10-106
Unwillingness by physician to comply, 50-9-103, 50-9-203, 50-9-206, 50-10-103
Validity, 50-9-103, 50-9-107
Violations, 50-9-206, 50-10-106

LIVING WILLS (Continued)

Withholding of knowledge of revocation, 50-9-206, 50-10-106
Withholding or withdrawal of treatment, consent by others, 50-9-106, 50-9-204
Witnesses, 50-9-103, 50-9-104, 50-9-106

LOANS
    See also **DEBTS, DEBTORS, AND CREDITORS**
Agricultural development, Title 90, chapter 9
Agricultural loan authority program, by or to, Title 80, chapter 12
Agricultural marketing associations, to, 35-17-408
Airport improvement projects, 67-1-301
Banks and trust companies, Title 32, chapter 1
Building and loan associations, Title 32, chapter 2
Clean coal technology demonstration loans, 90-4-901, 90-4-903 — 90-4-905
Coal severance tax funds, Title 17, chapter 6, part 3
Commercial lenders, 31-1-112
Community disaster, 10-3-314
Complaint for money lent, form, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 5
Conservation district conservation practice loan program, Title 76, chapter 15, part 5
Conservator's power, 72-5-427
Consolidation, 31-3-203
Consumer loan businesses, Title 32, chapter 5
Contracts, plain language, Title 30, chapter 14, part 11
Contract terms, 31-1-102, 31-1-103, 31-1-106, 31-1-107, 31-1-109
Cooperative associations, power, 35-15-103, 35-15-201
Corporate power, 35-1-115
Credit cards, See **CREDIT TRANSACTIONS, Credit cards**
Credit unions, Title 32, chapter 3
Currency valuation, effect on repayment, 31-1-102
Debt adjustment, 31-3-203
Defined, 31-1-101, 31-1-308
Development corporations, Title 32, chapter 4
Discrimination
    distribution, in, 49-3-206
    practices, See **DISCRIMINATION, Credit transactions; Financial institutions**
Elections
    campaign finance, disclosure, 13-37-229, 13-37-230
    consideration for vote, improper as, 13-35-214
Energy
    alternative renewable sources, for commercialization, 90-4-101
    conservation loans, 15-32-107
Execution, levy against exempt property to enforce claims for, 25-13-607
False statement to obtain, 45-6-317
Federal assistance program, Title 17, chapter 3, part 1
Guaranty, Title 28, chapter 11, parts 1 and 2
Handicapped persons, telecommunications equipment, 53-19-307
Health Facility Authority, 90-7-202, 90-7-213, 90-7-220, 90-7-311, 90-7-317, 90-7-320
Health maintenance organizations, by, 33-31-221
Heritage properties and paleontological remains, 22-3-432
Hospital districts, educational benefits for personnel, 7-34-2122
Housing authorities, municipal, 7-15-4419, 7-15-4502, 7-15-4511
Housing developments, lower income, 90-6-104, 90-6-108
Industrial development project revenue bonds, loan from proceeds, 90-5-102, 90-5-105, 90-5-106
Insurance
    credit life and disability, Title 33, chapter 21

LOANS (Continued)

- **Insurance** (Continued)
  - life policies, on, 33-2-805; Title 33, chapter 20, part 1
- **Insurers**
  - domestic stock and mutual, by, 33-3-431
  - farm mutual, investments, 33-4-403
  - investments, See **INSURERS ORGANIZATION AND REGULATION GENERALLY, Investments**
  - restrictions regarding, 33-18-501
- **Interest**, 31-1-103 — 31-1-109, 31-1-111 — 31-1-113
  - principal, as part, 31-1-109, 72-34-404, 72-34-408, See also **TRUSTS, Principal and income, determination**
- **Irrigation districts**, contracts for loans from united states, Title 85, chapter 7, parts 19 — 21
- **Legislators**, breach of fiduciary duty, 2-2-104
- **Limited liability companies**, 35-8-107
- **Limited partnership**, authority, 35-12-510
- **Local government financial assistance**
  - airport improvement or development, 67-1-305 — 67-1-307
  - audits and reports relating to, Title 2, chapter 7, part 5
- **Mausoleum-columbarium authorities**, violation, 35-21-625
- **Merchant lenders**, 31-1-112
- **Microbusiness development**, Title 17, chapter 6, part 4
- **Milk producers and retailers**, prohibitions, 81-23-305
- **Minors**, for educational purposes, 41-1-303
- **Mint oil**, pledge or mortgage as security — calculation and payment of assessment, 80-11-412, 80-11-414
- **Montana Developmental Center facilities** — for acquisition, construction, and equipment, 90-7-220
- **Mortgages**, Title 71, chapter 1
- **Museum Loan Act**, Title 22, chapter 3, part 5
- **Nonprofit corporations**, power, 35-2-118, 35-2-213, 35-2-423, 35-2-435
- **Offenses**, 31-1-108
- **Partnership not created by**, 35-10-202
- **Pawnbrokers**, Title 31, chapter 1, part 4
- **Penalties**, 31-1-108
- **Personal property**, loan of, See **PROPERTY, PERSONAL, Loan** entries
- **Pledges**, Title 71, chapter 2
- **Port authorities**, 7-14-1126, 7-14-1133, 7-14-1136
- **Power of attorney, statutory** — authority, 72-31-224, 72-31-225, 72-31-228, 72-31-230
- **Principal**
  - determination, 72-34-404, 72-34-408
  - interest as part, 31-1-109
- **Public officers or employees**, breach of fiduciary duty, 2-2-104
- **Rail authorities**, receipt and disbursement, 7-14-1624
- **Rangeland improvement loan program**, Title 76, chapter 14
- **Regulated lenders**, interest exemption, 31-1-106, 31-1-111, 31-1-112
- **Religious corporations**, power, 35-3-205
- **Renewal**, effect on agreed interest rate, 31-1-107
- **Repayment**, 31-1-102, 31-1-109, 31-1-113
- **Retail installment sales**, Title 31, chapter 1, part 2
- **Science and technology development**, Title 90, chapter 3
- **Secured transactions**, applicability of laws, 30-9-201, 30-9-203
- **Small business loan participations to create jobs**, incentives, 17-6-318, 17-6-319
- **Solid waste management districts**, 7-13-236
- **State agencies**, airport improvement or development, 67-1-305 — 67-1-307
- **State**, loans to — use of proceeds, Const., VIII, 11
- **State-owned buildings**, retrofitting, 90-2-141

LOANS (Continued)

Statute of limitation, 31-1-108
Telecommunications equipment for the handicapped, 53-19-307
Title insurance for loans secured by interest in property, Title 33, chapter 25
Trust beneficiaries, to, 72-34-338
Trust indentures, Title 71, chapter 1, part 3
Uniform Commercial Code, applicability, 30-9-201, 30-9-203, 31-1-106
Usury, 31-1-107, 31-1-108, 31-1-111, 31-1-112, 33-2-1345
Utilities, rural cooperative, 35-18-106
Violations, 31-1-108
Wage brokers, 31-1-303
  amount assigned, restrictions, 31-1-304
  bond, 31-1-301
  filing assignment, 31-1-307
  interest on loan, 31-1-305
  invalid assignment, 31-1-306, 31-1-307
  license, 31-1-301, 31-1-302, 49-3-204
  loan, assignment as, 31-1-308
  notice to employer, 31-1-307
  spouse, consent, 31-1-306
  violations, 31-1-309, 31-1-310
  voided assignment, 31-1-309, 31-1-310
Wastewater treatment works revolving loan program, Title 75, chapter 5, part 11
Water development, for, See **WATER, Development of resources**
Water quality districts, 7-13-4517
Workers' compensation state fund reserves, from, 39-71-2321, 39-71-2354, 39-71-2355, 39-71-2503

LOBBYING AND LOBBYISTS
Applicability of provisions, 5-7-101
Business disclosure statements, 5-7-213
Citizens, actions by, 5-7-305
Commissioner, See **Political practices, commissioner of**
Definitions, 5-7-102
Docket
  contents, 5-7-201
  defined, 5-7-102
  lobbyist and principal, names entered, 5-7-201, 5-7-203, 5-7-301
  preparation, 5-7-201
  public record, 5-7-202
  registration, practice without — prohibited, 5-7-301
  termination of lobbyist's employment entry, 5-7-203
  updating, 5-7-204
Elected officials
  business disclosure statements, filing, 5-7-213
  defined, 5-7-102
Exemptions from provisions, 5-7-102
Fines, 5-7-103, 5-7-305
Hearings, 5-7-305
Inspection of applications and reports, 5-7-108
Legislature, report to, 5-7-207
License of lobbyist
  application, 5-7-103, 5-7-108
  discrimination in issuance prohibited, 49-3-204
  expiration, 5-7-103
  fee, 5-7-103

LOBBYING AND LOBBYISTS (Continued)
License of lobbyist (Continued)
- issuance, 5-7-103
- practice without, prohibited, 5-7-105, 5-7-301
- qualifications, 5-7-103
- revocation, 5-7-305
- suspension, 5-7-105, 5-7-305
- termination, 5-7-103

Payments
- defined, 5-7-102
- failure to report or false statements, 5-7-209
- governmental responses, 5-7-211
- prohibited when, 5-7-209
- reimbursement, 5-7-210
- reports of
  - audits, 5-7-212
  - filing and contents, 5-7-208

Political practices, commissioner of
- actions brought by, 5-7-108, 5-7-305
- business disclosure statements, forms and filing, 5-7-213
- defined, 5-7-102
- docket
  - maintained by, 5-7-102
  - preparation, 5-7-201
  - public record, 5-7-202
- elected officials, disclosure statements — filing, 5-7-213
- evidence, authority concerning, 5-7-212
- judgments filed with, 5-7-305
- legislature, report to, 5-7-207
- licenses, applications and fee, 5-7-103
- noncompliance, notice of, 5-7-108
- principals' payments, reports of
  - audits, 5-7-212
  - filing, 5-7-208
  - retention period, 5-7-208
- rules by, 5-7-111
- subpoenas, issuance, 5-7-212
- violations, reporting, 5-7-212

Principals
- defined, 5-7-102
- docket
  - contents, 5-7-201
  - lobbyist's name entered on, 5-7-203
  - updating, 5-7-204
- lobbyists, employment prohibited when, 5-7-301
- payments, See **Payments**
- records, 5-7-212
- reports, 5-7-201, 5-7-207, 5-7-208, 5-7-210
  - failure to file or false statements, 5-7-209

Privileges suspended when, 5-7-105
Purpose of provisions, 5-7-101
Qualifications for licensing, 5-7-103
Records, 5-7-212
Registered lobbyists, report of to legislature, 5-7-207
Registration of lobbyist, See **Docket**
Reinstatement of privileges, 5-7-105

LOBBYING AND LOBBYISTS (Continued)

Reports, 5-7-108, 5-7-201, 5-7-207 — 5-7-210
    failure to file, 5-7-103, 5-7-108
Rules, 5-7-111
Unprofessional conduct, 5-7-302
    defined, 5-7-102
Violations and penalties, 5-7-108, 5-7-305
    effect, 5-7-105
    principals' reports, failure to file or false statements, 5-7-209
    reporting, 5-7-212

LOCAL CITIZEN REVIEW BOARD PILOT PROGRAM ACT, Title 41, chapter 3, part 10
    See **YOUTH COURT**

LOCAL GOVERNMENT
    See also **CITIES AND TOWNS; COUNTIES**
Actions involving, See **CIVIL PROCEDURE, Governmental entities, actions involving; GOVERNMENT, Actions** entries
Administrative procedure and rules, applicability, 2-4-102
Alteration of existing form
    consolidation, city-county
        ballot requirements, 7-3-188
        election, requirements, 7-3-149
        plan, petition requirements, 7-3-141, 7-3-143
    county merger
        ballot requirements, 7-3-188
        election, requirements, 7-3-149
        petition requirements, 7-3-141, 7-3-144
        recommendations for, 7-3-185
    definitions, 7-3-122
    disincorporation of municipality
        certificate of and plan for, 7-3-145, 7-3-189
        petition requirements, 7-3-141, 7-3-145
        recommendations for, 7-3-185
    effective date, 7-3-156
    election, 7-3-149
        ballot requirements, 7-3-150, 7-3-151, 7-3-187, 7-3-188, 7-3-192
        call for, 7-3-125
        date, 7-3-186, 7-3-187, 7-3-192
        moratorium, 7-3-155
        officials, new — for, 7-3-160, 7-3-187
        procedure, 7-3-124
        recommendations, on, 7-3-192
        suboptions, treatment, 7-3-151
    franchises, transfers, 7-3-143, 7-3-144
    governing body
        approved plan, certification, 7-3-153
        defined, 7-3-122
        election, call for, 7-3-125, 7-3-149, 7-3-160
        new, organization, 7-3-161
        petition presented to, 7-3-125
        transition
            advisory plan for, 7-3-157
            effect on, 7-3-158
    judicial review, 7-3-154
    moratorium, 7-3-155

LOCAL GOVERNMENT (Continued)
Alteration of existing form (Continued)

- new form of government
  - adoption
    - applicability of provisions, 7-3-193
    - effect, 7-3-152
    - requirements, 7-3-149
  - officials, election, 7-3-160, 7-3-187
  - ordinances and resolutions, existing — effect on, 7-3-159
  - transition to, 7-3-157, 7-3-158, 7-3-193
- notices, 7-3-149
- officials
  - existing, provision for, 7-3-193
  - new, election, 7-3-160
  - transition provisions, 7-3-158
- petition, 7-3-123, 7-3-125
  - filing, 7-3-146
  - judicial review, for, 7-3-154
  - public availability, 7-3-147
  - recommendations contained in, 7-3-141
  - requirements, 7-3-142 — 7-3-145
  - study commission final report, contents, 7-3-187
- plan of government
  - approved, certification and filing, 7-3-153
  - existing, amendments to, 7-3-141, 7-3-142
  - invalidity of adoption when, 7-3-154
  - judicial review, 7-3-154
  - new, adoption — effect, 7-3-152
  - official plan, 7-3-153
  - petition requirements, 7-3-142
  - recommendations for, 7-3-141, 7-3-142
- purpose of provisions, 7-3-121
- recommendations for
  - election on, 7-3-147, 7-3-148, 7-3-192
  - permissible, 7-3-141
  - publication of summary, 7-3-148
  - study commissions, by, 7-3-185, 7-3-186
  - suboptions, limitations, 7-3-151
- records administrator
  - approved plan filed with, 7-3-153
  - defined, 7-3-122
  - election notices, preparation, 7-3-149
  - petition filed with, 7-3-146
- study commissions, See **Study commissions**
- suboptions, treatment, 7-3-151, 7-3-192
- transition provisions
  - advisory plan, 7-3-157, 7-3-193
  - general, 7-3-157
  - personnel, affecting, 7-3-158

Alternative forms, Title 7, chapter 3, See also specific form
- abandonment, Const., XI, 3
- adoption, 7-3-102, 7-3-193; Const., XI, 3
- amendment, 7-3-103, 7-3-104, 7-3-185; Const., XI, 3
- change in
  - effect, 7-3-106
  - limitation, 7-3-104

LOCAL GOVERNMENT (Continued)
Alternative forms (Continued)

- constitution, provision for, Const., XI, 3
  - compliance, 7-3-101
- council-mayor form, 7-1-114, 7-3-113
- county manager form, 7-1-114, 7-3-112, 7-4-2211
- elected county official form, 7-1-114, 7-3-111
- elections for, 7-3-103; Const., XI, 3
  - change in form, limitation, 7-3-104
- municipal commission-manager form, 7-3-114
- municipal council-mayor form, 7-1-114, 7-3-113
- plan of government, official, 7-3-105
- recommendations for, 7-3-185, 7-3-187, 7-3-192, See also **Study commissions**
- statutory basis, 7-3-111 — 7-3-114

Amendment, 7-3-185
Anticipation notes, Title 7, chapter 6, part 11, See **Notes, tax and revenue anticipation**
Archives of records, 22-3-202, 22-3-203
Asbestos-related occupations or projects, See **ASBESTOS**
Audits, Title 2, chapter 7, part 5
Buildings and building codes, energy efficiency measures not to burden, 50-60-801, See **BUILDINGS AND BUILDING REGULATIONS**
Business improvement districts, Title 7, chapter 12, part 11, See **BUSINESS IMPROVEMENT DISTRICTS**
Charter form, Title 7, chapter 3, part 7, See **CHARTER FORM OF GOVERNMENT**
City-county consolidation, Title 7, chapter 3, parts 11 — 13, See **CITY-COUNTY CONSOLIDATION, OPTION ONE; CITY-COUNTY CONSOLIDATION, OPTION TWO**
Claims, See **GOVERNMENT, Actions** entries; **Claims against**
Closure of state governmental facilities, requirements, 39-2-1001 — 39-2-1004
Codes, technical, 7-5-107, 7-5-108
Commission-chairman form, Title 7, chapter 3, part 5, See **COMMISSION-CHAIRMAN FORM OF GOVERNMENT**
Commission-executive form, Title 7, chapter 3, part 2, See **COMMISSION-EXECUTIVE FORM OF GOVERNMENT**
Commission form, Title 7, chapter 3, part 4, See **COMMISSION FORM OF GOVERNMENT**; See also **MUNICIPAL COMMISSION GOVERNMENT**
Commission-manager form, Title 7, chapter 3, part 3, See **COMMISSION-MANAGER FORM OF GOVERNMENT**; See also **MUNICIPAL COMMISSION-MANAGER GOVERNMENT**
Commission-mayor form, Title 7, chapter 3, part 2, See **COMMISSION-EXECUTIVE FORM OF GOVERNMENT**
Community service corps program, Title 90, chapter 14, part 1
- advisory council, representation, 90-14-104

Concealed weapons, carrying in government buildings, 45-8-328
Consolidation, Title 7, chapter 3, parts 11 — 13, See **CITY-COUNTY CONSOLIDATION, OPTION ONE; CITY-COUNTY CONSOLIDATION, OPTION TWO**
Corrections facilities or programs, community, Title 53, chapter 30, part 3
Council-executive form, Title 7, chapter 3, part 2, See **COMMISSION-EXECUTIVE FORM OF GOVERNMENT**
Council-manager form, Title 7, chapter 3, part 3, See **COMMISSION-MANAGER FORM OF GOVERNMENT**; See also **MUNICIPAL COMMISSION-MANAGER GOVERNMENT**
Council-mayor form, 7-1-114, 7-3-113, See also **COMMISSION-EXECUTIVE FORM OF GOVERNMENT**
County commissioner districts, nonapplicability of provisions when, 7-4-2102
County manager form
- county offices, nonapplicability of provisions, 7-4-2211

LOCAL GOVERNMENT (Continued)
County manager form (Continued)

- self-government powers, local government with — mandatory provisions, 7-1-114
- statutory basis, 7-3-112

County merger, See **Alteration of existing form**
County official form, See **Elected county official form**
Definitions, 7-5-101, 7-5-108, 7-6-1101
Detention centers, See **DETENTION CENTERS**
Discriminatory practices, See **DISCRIMINATION**, generally
Disincorporation of municipality, See **Alteration of existing form**
Drug Abuse Resistance Education (D.A.R.E.) Program, 15-30-158; Title 44, chapter 2, part 7
Duties imposed by state, new, 1-2-112, 7-5-201
Elected county official form

- self-government powers, local government with — mandatory provisions, 7-1-114
- statutory basis, 7-3-111

Elections, See also **ELECTIONS, Political subdivisions, elections of**

- alteration of existing form, See **Alteration of existing form**
- alternative forms, for, 7-3-103, 7-3-104; Const., XI, 3
- initiative and referendum, See **Initiative and referendum**
- review of government and establishing study commissions
  - ballot, form, 7-3-175
  - held when, 7-3-173
  - majority vote required, 7-3-175
  - petition for, 7-3-173, 7-3-175, 7-3-177
  - procedures, 7-3-174
  - resolution for, 7-3-173, 7-3-175, 7-3-177
  - special election, held when, 7-3-175
- study commission members, 7-3-176

Establishment by law, Const., XI, 1
Existing form, alteration, See **Alteration of existing form**
Fair Practices, Code of, Title 49, chapter 3, See **DISCRIMINATION, Government, state and local**
Financial assistance, audits and reports relating to, Title 2, chapter 7, part 5
Financial reports, Title 2, chapter 7, part 5
Firearms

- concealed, carrying in government buildings, 45-8-328
- restrictions on regulation, 7-1-111, 45-8-351

Governing body

- alteration of existing form, See **Alteration of existing form**
- alternative form, amendment proposed by, 7-3-103
- codes
  - ordinances, approval of recodification, 7-5-107
  - technical, filing and public availability, 7-5-108
- detention centers, See **DETENTION CENTERS**
- initiative and referendum
  - ordinances, effect of enactment or repeal by, 7-5-137
  - petition, actions on, 7-5-133, 7-5-135
  - resolution for, 7-5-132
  - special election called by, 7-5-136
- ordinances and resolutions
  - adoption, 7-5-103, 7-5-121
  - emergency, 7-5-104, 7-5-108
  - form prescribed by, 7-5-103, 7-5-121
  - initiative and referendum for, 7-5-132
  - recodification, approval, 7-5-107
  - reenactment or repeal not allowed when, 7-5-137

LOCAL GOVERNMENT (Continued)
Governing body (Continued)
  ordinances and resolutions (Continued)
    review of government and establishing study commission, for, 7-3-173
    signing, 7-5-103, 7-5-121
    study commissions, composition, 7-3-177
  review of government and establishing study commission
    election, resolution or call for, 7-3-173
    petition, submission to, 7-3-173
  study commissions
    appointment of members, 7-3-176 — 7-3-178
    budget, submission and approval, 7-3-184
    organizational meeting set by, 7-3-179
    reports submitted to, 7-3-190
    veto, to override or confirm, 7-5-106, 7-5-121
Governmental facilities, state — closure or retrenchment requirements, 39-2-1001 — 39-2-1004
Ground water assessment, Title 85, chapter 2, part 9, See **WATER, Ground water**
Ground Water Assessment Steering Committee, representation on, 2-15-1523
Hazardous wastes, Title 75, chapter 10, See **HAZARDOUS WASTES**
Incentive Awards Advisory Council, 7-4-503, 7-4-504, 7-4-506
Incentive awards program for employees, 7-4-501, 7-4-502
  advisory council, 7-4-503, 7-4-504, 7-4-506
  awards, 7-4-505, 7-4-506
  governing body, powers and duties, 7-4-503 — 7-4-506
Indian Affairs, Committee on — duties concerning, 5-19-108
Infrastructure projects, financing, 17-5-701, 17-5-703; Title 90, chapter 6, part 7
Initiative and referendum
  electors, submission to, 7-5-133, 7-5-136
  notices, writing required, 7-5-134, 7-5-136
  ordinances, effect of repeal or enactment by, 7-5-137
  petition, 7-5-132
    action on, 7-5-133
    approval or rejection, 7-5-132, 7-5-134
    submission and verification procedures, 7-3-103
    validity and constitutionality, determination, 7-5-135
  resolution for, 7-5-132, 7-5-137
  right of, 7-5-131
  statement of purpose and implication, 7-5-134
Loans to, airport improvement and development, 67-1-305 — 67-1-307
Long-short cash account, 7-6-2224, 7-6-4119
Megalandfill siting, Title 75, chapter 10, part 9, See **MEGALANDFILL SITING**
Montana State University Local Government Center, purpose and funding, 20-25-237
Municipal commission form, Title 7, chapter 3, part 42, See **COMMISSION FORM OF GOVERNMENT**; See also **MUNICIPAL COMMISSION GOVERNMENT**
Municipal commission-manager form, Title 7, chapter 3, part 43, See **COMMISSION-MANAGER FORM OF GOVERNMENT**; See also **MUNICIPAL COMMISSION-MANAGER GOVERNMENT**
Municipal council-mayor form, 7-1-114, 7-3-113, See **COMMISSION-EXECUTIVE FORM OF GOVERNMENT**
Notes, tax and revenue anticipation
  authority for issuance and sale, 7-6-1102
    cumulative, 7-6-1116
  debt limitations of local government, nonapplicability, 7-6-1115
  definitions, 7-6-1101
  form, terms, and conditions, 7-6-1103
  interest rate, 7-6-1103
  investment of proceeds, 7-6-1102

LOCAL GOVERNMENT (Continued)
Notes, tax and revenue anticipation (Continued)

- issuance and sale, 7-6-1102, 7-6-1103, 20-9-212
- notice of sale required when, 7-6-1103
- payment, 7-6-1112
- principal and interest, 7-6-1102, 7-6-1112
- proceeds, 7-6-1102
- purchase by board of investments, 17-5-1606, 17-5-1608, 17-5-1611
- refunding, 7-6-1105
- renewal, 7-6-1105
- sale, 7-6-1102, 7-6-1103, 17-5-1611, 20-9-212
- security, 7-6-1111

Oil and gas severance tax, Title 15, chapter 36, part 1, See **TAXATION, MINERALS**
Optional forms, See **Alternative forms**
Ordinances and resolutions

- adoption, 7-5-103, 7-5-108, 7-5-121
    - procedures, 7-5-102
- alteration of existing form, 7-3-157, 7-3-159
- alternative forms
    - amendment, 7-3-103
    - change in, effect, 7-3-106
    - commissions established by
        - county manager form, 7-3-112
        - municipal council-mayor, 7-3-113
        - municipal commission-manager form, 7-3-114
- amendment, 7-5-131, 7-5-132, 7-5-136
- codes, adoption by reference, 7-5-107, 7-5-108
- codification, 7-5-103, 7-5-107
- effective date, 7-5-104 — 7-5-106, 7-5-123, 7-5-132
- emergency, 7-5-104, 7-5-108, 7-5-132
- filing or posting, 7-5-103
- fine for violations, 7-5-109, 7-5-4207
- form, 7-5-103, 7-5-121
- initiative
    - effect, 7-5-137
    - proposed by, 7-3-1223, 7-5-131
        - petition, 7-3-1223, 7-3-1227 — 7-3-1229, 7-5-132, 7-5-136
- publication, 7-5-107, 7-5-136
- recodification, 7-5-107
- referendum
    - effect, 7-5-137
    - petition, 7-3-1230, 7-5-131, 7-5-132
        - action on, 7-3-1231
- register of ordinances, 7-5-103, 7-5-107
- repeal, 7-5-108, 7-5-131, 7-5-132, 7-5-136, 7-5-137
- review of government and establishing study commission, election for, 7-3-173, 7-3-175, 7-3-177
- self-government consolidated units, operational provisions and procedures, 7-5-201
- signing, 7-5-103, 7-5-121
- study commissions, composition, 7-3-177
- submission, form, 7-5-103, 7-5-121
- veto procedures, 7-5-106, 7-5-122
- violations, penalty, 7-5-109, 7-5-4207

Paddlefish roe as caviar, donation and sale program — representation on advisory committee, 87-4-601

LOCAL GOVERNMENT (Continued)

Petitions
  alteration of existing form, See **Alteration of existing form**
  alternative forms, amendment, 7-3-103
  initiative and referendum, See **Initiative and referendum**
  review of government and establishing study commission, election for, 7-3-173, 7-3-175, 7-3-177
Petroleum storage tank releases, cleanup, Title 75, chapter 11, part 3, See **HAZARDOUS WASTES**
Railbed, abandoned — acquisition of ownership or easement, 60-11-111, 60-11-112
Records, archives, 22-3-202, 22-3-203, See also **PUBLIC RECORDS**
Referendum, See **Initiative and referendum**
Residential energy efficiency, Title 50, chapter 60, part 8, See also **BUILDINGS AND BUILDING REGULATIONS**
Resolutions, See **Ordinances and resolutions**
Revenue anticipation notes, See **Notes, tax and revenue anticipation**
Review, Const., XI, 9, See also **Study commissions**
  election for, See **Elections**, review of government and establishing study commission
  purpose of provisions, 7-3-171
  required, Const., XI, 9
Self-government consolidated units, operation, 7-5-201, See **CHARTER FORM OF GOVERNMENT**
Sewage systems, loans for, Title 75, chapter 5, part 11, See **WATER QUALITY, Wastewater treatment works revolving loan program**
Shooting ranges, protection, 76-9-101 — 76-9-105
Small business licensing coordination, Title 30, chapter 16
Solid waste management, state plan — development, 75-10-807
State governmental facilities, closure or retrenchment — requirements, 39-2-1001 — 39-2-1004
State mandates to local governments, 1-2-112, 7-5-201
Strong mayor form, Title 7, chapter 3, part 41, See **CITIES AND TOWNS, Government**
Student loan program, guaranteed — information concerning delinquent loans, 20-26-1111
Study commissions, Const., XI, 9, See also **Review**
  advisory boards and committees, establishment, 7-3-183
  advisory plan for transition to new government, 7-3-193
  alternative form of government, submission, 7-3-1101, 7-3-1102
  appointment to, 7-3-176 — 7-3-178
  appropriations for, 7-3-184
  candidates, procedures and qualifications, 7-3-176
  chairman, 7-3-179
    certification of documents, 7-3-193
    information requested by, 7-3-183
    meetings called by, 7-3-181
  community forums to be held, 7-3-182
  compensation of members or staff, 7-3-178, 7-3-183
  composition, 7-3-177
  conduct of business, 7-3-181
  consolidation proposals or plans, submission, 7-3-1101, 7-3-1102
  contracts, 7-3-183
  cooperative studies, 7-3-180, 7-3-185, 7-3-188
  election of members, 7-3-176
  establishment, 7-3-173, See **Elections**, review of government and establishing study commission
  expenses of members or staff, 7-3-178, 7-3-183
  federal funds, application and acceptance, 7-3-184

LOCAL GOVERNMENT (Continued)
Study commissions (Continued)

- final report, 7-3-186, 7-3-187
  - special requirements, 7-3-188, 7-3-189
  - submission, 7-3-192
- financial administration, 7-3-181, 7-3-184
- hearings, 7-3-182, 7-3-186
- information, dissemination, 7-3-182, 7-3-183, 7-3-186
- in-kind services, 7-3-184
- meetings, 7-3-181, 7-3-182
- organization, 7-3-179, 7-3-181
- powers, 7-3-183
- purpose, 7-3-172, 7-3-182
- quorum, 7-3-181
- recommendations, 7-3-180, 7-3-193
  - election on, 7-3-192
  - legal effect, 7-3-181
  - publication, 7-3-191
  - public discussion, 7-3-182
  - scope, 7-3-185, 7-3-190
- records, 7-3-181, 7-3-187
- reports, 7-3-180
  - final, 7-3-186 — 7-3-189, 7-3-192
  - minority, 7-3-187
  - supplemental, 7-3-190
  - tentative, 7-3-186
- rules, adoption, 7-3-181
- staff, 7-3-183, 7-3-184
- state funds, application and acceptance, 7-3-184
- summary of findings and recommendations, publication, 7-3-191
- tax levy to fund, 7-3-184
- term of members, 7-3-178
- timetable, 7-3-186
- vice-chairman, 7-3-181
- town meeting form of government, agenda for initial meeting, 7-3-605

Tax and revenue anticipation notes, See **Notes, tax and revenue anticipation**
Town meeting form, Title 7, chapter 3, part 6, See **TOWN MEETING FORM OF GOVERNMENT**
Transloading facility, demonstration truck/train — grant for, 7-14-120
Underground storage tanks and installers, Title 75, chapter 11, See **HAZARDOUS WASTES**
Upper Clark Fork River Basin Steering Committee, representation on, 85-2-338
Voter review, See **Review**
Water pollution, clean-up orders issued to, 75-5-601
Water quality districts, aid, 7-13-4517
Wastewater treatment works revolving loan program, Title 75, chapter 5, part 11, See **WATER QUALITY**
Weapons
- concealed, carrying in government buildings, 45-8-328
- regulation, 7-1-111, 45-8-351

Wildlife habitat, acquisition policy — impact analysis, 87-1-241
Youth correctional facilities, industries programs — goods and services from, 52-5-120, 52-5-121

LOCAL MANAGEMENT OF HISTORIC SITES AND BUILDINGS ACT, Title 22, chapter 3, part 6
See also **ANTIQUITIES; HISTORICAL SOCIETY**

LOITERING
City or town council, powers, 7-32-4304
County market master, duty, 7-21-3322
Disorderly conduct, 45-8-101
  city or town council, powers, 7-32-4302, 7-32-4304
  failure of disorderly persons to disperse, 45-8-102
Highway patrol officers, cause for disciplinary action, 44-1-612
Mentally ill persons, jail alternatives, 53-21-138
Traffic, obstructing, 45-8-101, 45-8-111

LONG ARM STATUTES, Title 25, chapter 20, M.R.Civ.P., Rules 4B, 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  See also **CIVIL PROCEDURE, Jurisdiction of persons**
Costs, 25-10-206
Employment agency violations, 39-5-406
Foreign corporations, 35-18-107
Motorists, nonresident, 25-3-601
Subdivisions out-of-state, in-state sales, 76-4-1250
Utilities, foreign rural cooperatives, 35-18-107

LONG-RANGE BUILDING PROGRAM, Title 17, chapter 5, part 4; Title 17, chapter 7, part 2
  See **BONDS AND BOND ISSUES; CAPITOL AND OTHER STATE BUILDINGS**

LONG-TERM CARE FACILITIES
  See also **HEALTH CARE FACILITIES; HOSPITAL DISTRICTS**, generally; **NURSING HOMES**
Abuse, neglect, or exploitation of patients, 52-3-811
Bill of rights for residents, 50-5-1101 — 50-5-1107, See **Residents' rights**
Bingo games, live — tax and permit fee exemption when, 23-5-406
Blood, furnishing or transfusing — liability, 50-33-102, 50-33-103
Bones, furnishing declared service, 50-33-102
Certificate of need, 50-5-101, 50-5-301, See **HEALTH CARE FACILITIES, Certificate of need**
Community-based services as alternative, 53-6-101, 53-6-401, 53-6-402
Construction of facility, Title 50, chapter 5, See **HEALTH CARE FACILITIES, Construction, alteration, or expansion**
Definitions, 50-5-101, 50-5-301, 50-5-1103, 52-3-602, 52-3-803, 53-6-401
Developmentally disabled persons — report of abuse, neglect, or exploitation required, 52-3-811, See **DEVELOPMENTALLY DISABLED PERSONS, Abuse, neglect, or exploitation**
Disabled persons' parking spaces, permits, 49-4-310
Elderly persons — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Federal aid, See **HEALTH CARE FACILITIES, State medical facility plan**
Fire protection and safety regulations, 50-61-103, See **FIRES AND FIRE PROTECTION**, generally
Health maintenance organization providers, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
Injunction, 52-3-605
Insurance, long-term care, 33-1-208, 33-20-127, 33-20-128, 33-22-1107
Insurance producers, prohibited relations, 33-17-1107
Intermediate developmental disability care, 50-5-101, 50-5-301, 50-5-302
Keno games, live — tax and permit fee exemption when, 23-5-406

LONG-TERM CARE FACILITIES (Continued)

Licensing of facility, 49-3-204, 50-5-101, 50-5-201, 50-5-1107, See also **HEALTH CARE FACILITIES**
Long-term care preadmission screening and resident review, 53-6-401, 53-6-402
Long-Term Care Residents' Bill of Rights, 50-5-1101 — 50-5-1107
Medicaid, See also **PUBLIC ASSISTANCE, Medicaid**
  supplemental payments prohibited, 52-1-104, 53-6-101
  waiver program, 53-6-401, 53-6-402
Montana Long-Term Care Residents' Bill of Rights, 50-5-1101 — 50-5-1107, See **Residents' rights**
Negligence in furnishing or performing services for blood or blood products, 50-33-103
Nutrition services exemption from licensing requirements when, 37-25-304
Ombudsman Services, Office of Legal and Long-Term Care
  abuse, neglect, or exploitation report to, 52-3-811, 52-3-813, 52-3-815
  access to facilities, 52-3-604, 52-3-605
  definitions, 52-3-602
  duties, 52-3-603, 52-3-604
  establishment, 52-3-603
  purpose of provisions, 52-3-601
Operation generally, 50-5-101, 50-5-103
Organs, furnishing declared service, 50-33-102
Parking permits, 49-4-310
Penalties for violation of ombudsman's access to facility provisions, 52-3-605
Personal care facilities, 50-5-101
Preadmission screening and resident review, 53-6-401, 53-6-402
Public assistance, optional county indigent assistance, 53-2-802, 53-2-804
Residents' rights, 50-5-1103
  abuse, neglect, or exploitation — freedom from and reporting, 50-5-1104
  acknowledgment, statement of rights, 50-5-1105
  administrator of facility
    implementation of rights, 50-5-1104
    statement of rights, duties, 50-5-1105
  advisory councils, resident, 50-5-1104
  advocate for, 52-3-601 — 52-3-605
  authorized representative, 50-5-1103
    notification when, 50-5-1104
    rights and responsibilities devolve to, when, 50-5-1106
    statement of rights, acknowledgment, 50-5-1105
  citation of Montana long-term care residents' bill of rights, 50-5-1101
  definitions, 50-5-1103
  enforcement, 50-5-1107
  enumerated, 50-5-1104
  federal rights, adoption by reference, 50-5-1104
  grievances, provision for, 50-5-1104, 52-3-604
  incompetency of resident, effect, 50-5-1106
  involuntary transfer or discharge, advance notice, 50-5-1104
  legal services, 52-3-601 — 52-3-605
  legislative findings, 50-5-1102
  ombudsman, 50-5-1103, 52-3-602
    abuse, neglect, or exploitation — reports to, 50-5-1104
    access to facilities, 52-3-604, 52-3-605
    duties, 52-3-603, 52-3-604
    services, office of, 52-3-601 — 52-3-605
  protection, 52-3-603
  purpose, 50-5-1102

LONG-TERM CARE FACILITIES (Continued)
Residents' rights (Continued)

statement of rights, 50-5-1105
Senior citizens — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Silicosis benefits, representative payee for, 39-73-111
Tax
    exemption when, 15-6-201; Const., VIII, 5
    income tax credit for qualifying elderly care expenses, 15-30-128
Tissues, furnishing declared service, 50-33-102
Utilization reviews, exemption when, 33-32-105

LONG-TERM CARE INSURANCE ACT, Title 33, chapter 22, part 11
    See **INSURANCE, DISABILITY**

LOTTERIES, 7-1-112, 25-5-112, 23-5-151, 23-7-103; Const., III, 9; Title 23, chapter 7
    See **GAMBLING, Lotteries generally; LOTTERY, STATE**

LOTTERY, STATE
Administration, 23-7-102, 23-7-211, 23-7-212
Advertising, 23-7-211, 23-7-305, 23-7-310
Agents, See **Ticket or chance sales agents**
Appropriations, 23-7-203, 23-7-301, 23-7-402
Audits, 23-7-110, 23-7-302, 23-7-310, 23-7-410 — 23-7-412
Authorization, 23-7-102; Const., III, 9
Chances, See **Tickets or chances**
Citation of Montana State Lottery Act of 1985, 23-7-101
Commission, 23-7-103, 23-7-201, 23-7-202
    audit reports to, 23-7-410, 23-7-411
    bond requirements, 23-7-211, 23-7-301
    conflict of interest, 23-7-307
    contracts, 23-7-211, 23-7-307
    director, 23-7-202, 23-7-211
    drawings for prizes, conduct and restriction, 23-7-202, 23-7-311
    felony and gambling-related convictions, effect, 23-7-110, 23-7-306
    fingerprints, requirements and submission to, 23-7-306, 23-7-310
    gaming suppliers, 23-7-202, 23-7-307, 23-7-310
    ineligibility for position on, 23-7-110, 23-7-306
    legislative liaison committee, meetings with, 23-7-203
    meetings, 23-7-202, 23-7-203
    prizes, 15-30-247, 23-7-202, 23-7-311
    rules, 23-7-202, 23-7-211, 23-7-301, 23-7-310, 23-7-311
    sales, 23-7-110, 23-7-301, 23-7-302
    ticket or chance sales agents, 23-7-301
    tickets or chances, 23-7-110, 23-7-202, 23-7-301, 23-7-302
Confidentiality of audit findings when, 23-7-412
Conflict of interest, 23-7-110, 23-7-203, 23-7-307, 23-7-310
Constitutional provision, compliance, 23-7-102
Construction of provisions, 23-7-102
Consultant services, 23-7-211, 23-7-212, 23-7-310
Contractors, See **Gaming suppliers**
Contracts, 23-7-110, 23-7-211, 23-7-307, 23-7-310
Crime Control, Board of — revenue to, 23-7-202, 23-7-402
Daily numbers games, 23-7-103
Definitions, 23-7-103
Director, 23-7-103, 23-7-210, 23-7-211
    audit reports to, 23-7-410, 23-7-411
    bond requirements, 23-7-211, 23-7-301

LOTTERY, STATE (Continued)
Director (Continued)

- commission, meetings with, 23-7-202
- conflict of interest, 23-7-307
- contracts, 23-7-211, 23-7-307
- felony and gambling-related convictions, effect, 23-7-110, 23-7-306
- fingerprints required when, 23-7-306
- gaming suppliers, financial interest in — prohibited, 23-7-307
- ineligibility for position as, 23-7-110, 23-7-306
- odds, disclosure, 23-7-305
- operating expenses, 23-7-202, 23-7-203, 23-7-402, 23-7-411
- security, assistant director for, 23-7-211, 23-7-212
- security of lottery, maintenance, 23-7-211, 23-7-212
- study of lotteries, continuing, 23-7-202
- supervision, 23-7-202
- ticket or chance sales agents, 23-7-211, 23-7-301, 23-7-401
- tickets or chances, sale to or purchase by — prohibited, 23-7-110, 23-7-302
- violations, reporting, 23-7-212

Drawings for prizes, 23-7-202, 23-7-311, 23-7-411
Employees

- audits of security, 23-7-411
- background, examination, 23-7-212
- conflict of interest, 23-7-110, 23-7-307
- drawings for prizes, who may select tickets and examination of equipment, 23-7-311
- employment, 23-7-110, 23-7-211, 23-7-306
- felony or gambling-related convictions, effect, 23-7-110, 23-7-306
- fingerprints required when, 23-7-306
- gaming supplier, financial interest in — prohibited, 23-7-110, 23-7-307
- ticket or chance sales agents, of — sales by, not required when, 23-7-110, 23-7-301
- tickets or chances, sale to or purchase by — prohibited, 23-7-110, 23-7-302

Equipment, 23-7-110, 23-7-203, 23-7-211, 23-7-310, 23-7-311, See also **Gaming suppliers**
Establishment, 23-7-202
Fines for violations, 23-7-110
Fingerprint requirements, 23-7-306, 23-7-310
Gambling, forms prohibited or permitted by state law — restrictions on state lottery, 23-7-102, 23-7-103
Games

- allowances and prohibitions, 23-7-102
- audits of security, 23-7-411
- contracts for design and installation, 23-7-211
- determination of type and form, 23-7-202
- "lottery game" defined, 23-7-103
- odds, disclosure, 23-7-305
- reports, 23-7-202

Gaming suppliers

- audits of security, 23-7-411
- background, examination, 23-7-212
- contracts, 23-7-110, 23-7-202, 23-7-211, 23-7-310
- disclosure requirements, 23-7-110, 23-7-310
- financial interest in or by, prohibited, 23-7-110, 23-7-307, 23-7-310
- fingerprint requirements, 23-7-310
- ticket or chance sales agents, financial interest in — prohibited, 23-7-110, 23-7-310
- tickets or chances, sale to or purchase by — prohibited, 23-7-302

Gift enterprise, nonapplicability of provisions, 23-5-112
Hearings, 23-7-301
Inspections, 23-7-301
Instant winner games, 23-7-103

LOTTERY, STATE (Continued)

Interstate games, 23-7-202, 23-7-402
Investigations, 23-7-301, 23-7-302
Legislative Liaison Committee, 23-7-203
Licenses, See **Ticket or chance sales agents**
Materials, 23-7-110, 23-7-211, 23-7-310
Meetings, 23-7-202, 23-7-203
Minors, 23-7-110, 23-7-301, 23-7-302
Multistate games, 23-7-202, 23-7-402
Odds, disclosure, 23-7-305
Operating expenses, 23-7-202, 23-7-203, 23-7-402, 23-7-411
Operation, 23-7-202, 23-7-203, 23-7-211, 23-7-212
Penalties for violations, 23-7-110
Private management or operation, contracts for — illegal and unenforceable, 23-7-211
Prizes
  audits of security, 23-7-411
  child support, lien on winnings for, 23-7-312
  distribution, 23-7-103
  drawings for, 23-7-202, 23-7-311, 23-7-411
  fraudulent winning, 23-7-110, 23-7-411
  improper influence in winning, 23-7-110
  income tax withholding, 15-30-246, 15-30-247
  number and size, determination, 23-7-202, 23-7-311
  odds, disclosure, 23-7-305
  payment, 23-7-202, 23-7-311, 23-7-401, 23-7-402, 23-7-411
  public drawings, 23-7-202, 23-7-311, 23-7-411
  reports, 23-7-202
  revenue for, 23-7-402
  right to, unassignable, 23-7-311
  unclaimed, 23-7-311, 23-7-401, 23-7-411
Profitability, study for, 23-7-202
Prohibitions or restrictions
  commission, on, 23-7-110, 23-7-202, 23-7-311
  director, on, 23-7-210
  drawings for prizes, who may select tickets, 23-7-311
  employees, on, 23-7-311
  games played, 23-7-102, 23-7-103
  gaming suppliers, financial interest in or by, 23-7-110, 23-7-307, 23-7-310
  legislative liaison committee, membership, 23-7-203
  minors, sales to or by or purchases by, 23-7-110, 23-7-301, 23-7-302
  sales, 23-7-110, 23-7-301, 23-7-302
Promotion, contracts for, 23-7-211, 23-7-310
Public drawings, 23-7-202, 23-7-311, 23-7-411
Purchase of tickets or chances, 23-7-102, 23-7-110, 23-7-302
Purpose of provisions, 23-7-102
Reports, 23-7-202
Restrictions, See **Prohibitions or restrictions**
Retailers, See **Ticket or chance sales agents**
Revenue, 23-7-202, 23-7-203, 23-7-301, 23-7-401, 23-7-402
Rules, 23-7-202, 23-7-211, 23-7-301, 23-7-310, 23-7-311
Salaries, 23-7-210, 23-7-212
Sales of tickets or chances
  credit, on — prohibited, 23-7-302
  minors, 23-7-110, 23-7-301, 23-7-302
  places for, 23-7-301, 23-7-305
  restrictions, 23-7-110, 23-7-302

LOTTERY, STATE (Continued)
Sales of tickets or chances (Continued)

- revenue, disposition, 23-7-202, 23-7-301, 23-7-401, 23-7-402
- sales agents, by, 23-7-301

Schools, state equalization aid — revenue for, 20-9-343, 23-7-202, 23-7-301, 23-7-402
Security, 23-7-211, 23-7-212, 23-7-301, 23-7-411, 23-7-412
Security, assistant director for, 23-7-211, 23-7-212

- conflict of interest, 23-7-110, 23-7-307
- felony or gambling-related convictions, effect, 23-7-110, 23-7-306
- fingerprints required when, 23-7-306
- gaming supplier, financial interest in — prohibited, 23-7-307
- ineligibility for position as, 23-7-110, 23-7-306
- statewide classification and pay plans, 2-18-103

Security Division, 23-7-212
Short title, 23-7-101
Slot machines, operation not allowed, 23-7-102, 23-7-103
Spending authority, 23-7-402
Sports pool games, 23-7-103
State lottery fund, 23-7-311, 23-7-401, 23-7-402, 23-7-410, 23-7-411
Suppliers, gaming, See **Gaming suppliers**
Supplies, contracts for, 23-7-211, 23-7-310
Ticket or chance sales agents

- accounts, 23-7-110, 23-7-301
- audits of security, 23-7-411
- background, examination, 23-7-212, 23-7-301
- bond requirements, 23-7-301
- bonuses, 23-7-202
- commissions, 23-7-202, 23-7-301, 23-7-401, 23-7-402
- conflict of interest, 23-7-110, 23-7-307, 23-7-310
- electronic funds transfer, payment to lottery by, 23-7-301
- employees, sales by — not required when, 23-7-110, 23-7-301
- fee, license, 23-7-301, 23-7-401
- felony or gambling-related convictions, effect, 23-7-110, 23-7-306
- fingerprints required when, 23-7-306
- gaming suppliers, financial interest in or by — prohibited, 23-7-110, 23-7-307, 23-7-310
- hearings, 23-7-301
- incentives, 23-7-202
- incremental sales, 23-7-301
- ineligibility for position as, 23-7-110, 23-7-301, 23-7-306
- inspections, 23-7-301
- licenses, 23-7-211, 23-7-301, 23-7-401
- payments to lottery, how made, 23-7-301, 23-7-401
- places of sale, 23-7-301, 23-7-305
- prizes, payment, 23-7-311, 23-7-401
- records, 23-7-110, 23-7-301
- violations, 23-7-301

Tickets or chances

- audit of security, 23-7-411
- counterfeiting, audit of security against, 23-7-411
- credit, purchase by — prohibited, 23-7-302
- elected officials' names not to appear on, 23-7-302
- price, 23-7-202, 23-7-302
- purchase, 23-7-102, 23-7-110, 23-7-302
- sales, 23-7-110, 23-7-202, 23-7-301, 23-7-302, 23-7-401, 23-7-402, 23-7-411
- vending machines or electronic devices, 23-7-302, 23-7-311

Unclaimed prizes, 23-7-311, 23-7-411
Violations, 23-7-110, 23-7-202, 23-7-212, 23-7-301

LOTTERY, STATE (Continued)

Weekly winner games, 23-7-103
Youth detention services, revenue for, 23-7-402

LOWER INCOME, PERSONS OF
  See also **INDIGENT PERSONS**
Alcoholism
  commitment, 53-24-302
  treatment, 41-3-1103, 53-24-108
Community service corps program, Title 90, chapter 14, part 1
County indigent programs, optional, 53-2-801 — 53-2-804
Court proceedings involving
  alcoholism, commitment, 53-24-302
  mentally ill persons, commitment, 53-21-116, 53-21-118
  parolee services, 46-23-1022
  transcripts to be furnished to, 3-5-604
Fish and game violations, hunger as defense, 87-3-129
Home weatherization, Title 90, chapter 4, part 2
Housing authorities, See **HOUSING AUTHORITIES, COUNTY; HOUSING AUTHORITIES, MUNICIPAL**
Housing developments, Title 90, chapter 6, part 1
Human Resource Development Councils, See **HUMAN RESOURCE DEVELOPMENT COUNCILS**
Hunger as defense to fish and game violations, 87-3-129
Maternal and child health services, Title 50, chapter 19, part 3
Mentally ill persons, commitment proceedings, 53-21-116, 53-21-118
MIAMI project, Title 50, chapter 19, part 3
Microbusiness development services, 17-6-407, 17-6-411
Mortgage loans, reverse annuity, Title 90, chapter 6, part 5
Parolee services, purchase by department of corrections and human services, 46-23-1022
Public assistance, eligibility data — availability requirements, 53-2-211, See also **PUBLIC ASSISTANCE**
Real estate broker and salesmen licensing provisions, nonapplicability, 37-51-103
Rural housing projects, See **HOUSING AUTHORITIES, COUNTY**
Self-sufficiency trust account, special account for, 53-18-105
Telephone assistance program, Title 69, chapter 3, part 10

M

MACHINE GUN ACT, UNIFORM, 45-8-301 — 45-8-309
  See **WEAPONS, Machine guns**

MAJOR FACILITY SITING ACT, Title 75, chapter 20
  See **FACILITY SITING**

MALICIOUS PROSECUTION
Governmental liability, 2-9-101, See **GOVERNMENT, Liability**
Justice's court, jurisdiction excluded, 3-10-301

MALPRACTICE
Arrest, 27-16-102
Attorneys at law, 27-2-206, 37-61-301
Barbers, barbershop owners, or barber schools and colleges — cause for refusal, suspension, or revocation of license, 37-30-502
Chiropractic, See **MALPRACTICE, CHIROPRACTIC**

MALPRACTICE (Continued)

Cosmetologists or manicurists — cause for refusal, suspension, or revocation of license, 37-31-331
Electrologists — cause for refusal, suspension, or revocation of license, 37-32-310
Insurance, See **INSURANCE, CASUALTY, Professional liability**
Legal, 27-2-206, 37-61-301
Medical, See **MALPRACTICE, CHIROPRACTIC; MALPRACTICE, MEDICAL**
Naturopathic physicians, 37-26-404, 37-26-408
Professional corporations, 35-4-403 — 35-4-405

MALPRACTICE, CHIROPRACTIC
    See also **MALPRACTICE, MEDICAL; TORTS**, generally
Arrest, 27-16-102
Citation of Montana Chiropractic Legal Panel Act, 27-12-101
Definitions, 27-12-103
Evidence
    decision on, 27-12-602
    documentary, 27-12-308, 27-12-502
    hearings, 27-12-502, 27-12-503
    privilege, effect of waiver for review panel, 27-12-302, 27-12-306
    records, 27-12-702
    review panel decision and deliberations inadmissible, 27-12-703
    statements of fact by chiropractic physicians, 27-12-502
Health maintenance organization enrollees, claims made by, 33-31-303
Health service corporations, contractees — nonliability, 33-30-304
Insurance, See **INSURANCE, CASUALTY, Professional liability**
Montana Chiropractic Association, duties of executive director, 27-12-201, 27-12-304, 27-12-402, 27-12-404
Professional corporations, liability, 35-4-403 — 35-4-405
Purpose of Montana Chiropractic Legal Panel Act, 27-12-102
Review by panel, 27-12-301, 27-12-702, See also **REMEDIES; SPECIAL PROCEEDINGS**
    action prior to decision of panel prohibited, 27-12-301
    administration, 27-12-205, 27-12-206
    answer by chiropractic physician, 27-12-306
    application of claimant, 27-12-301 — 27-12-306, 27-12-402
    assessment on chiropractic physicians, 27-12-206
    audits, 27-12-207
    commencement of claim, 27-12-301
    counsel, 27-12-301, 27-12-306, 27-12-501 — 27-12-503, 27-12-605
    court action prior to decision of panel prohibited, 27-12-301
    decision, 27-12-301, 27-12-602 — 27-12-606, 27-12-702, 27-12-703
    director of panel, 27-12-103, 27-12-201 — 27-12-203
        applications, duties, 27-12-301, 27-12-304, 27-12-305, 27-12-402
        assessment, powers and duties, 27-12-206, 27-12-207
        counsel, appearance — entry, 27-12-306
        evidence, documentary — furnished to panel members, 27-12-308
        excuse of panel member by, 27-12-404
        expert consultants, cooperation in obtaining, 27-12-307
        funding, administration, 27-12-206
        hearing, duties, 27-12-501
        records maintained by, 27-12-702
        rulemaking authority, 27-12-204, 27-12-205
    evidence, 27-12-302, 27-12-306, 27-12-308, 27-12-502, 27-12-503, 27-12-602, 27-12-702, 27-12-703
    expert consultants, 27-12-307
    fees, 27-12-204, 27-12-206

MALPRACTICE, CHIROPRACTIC (Continued)
Review by panel (Continued)

- forms, 27-12-205
- funding, 27-12-206, 27-12-207
- hearing, 27-12-202, 27-12-308, 27-12-501 — 27-12-503, 27-12-601
- jurisdiction of panel, 27-12-105, 27-12-205, 27-12-602
- multiple defendants, 27-12-403
- panel, 27-12-103, 27-12-104, 27-12-205, 27-12-401, 27-12-403
  - chairman, 27-12-601, 27-12-604
  - evidence, documentary — furnished to, 27-12-308
  - facilities, 27-12-202, 27-12-501
  - formation, 27-12-401 — 27-12-404
  - funding, 27-12-206, 27-12-207
  - immunity from liability, 27-12-106
  - jurisdiction, 27-12-105, 27-12-205, 27-12-602
  - multiple defendants, when, 27-12-403
  - notice of hearing, 27-12-501
  - offices, 27-12-202
  - records, 27-12-202, 27-12-702
  - salaries, 27-12-201 — 27-12-203
  - scope of authority, 27-12-105, 27-12-205, 27-12-602, 27-12-606
  - settlement agreements, approval, 27-12-606
  - staff, 27-12-202
  - subpoenas, issuance, 27-12-205
  - travel expenses, 27-12-203
- privileged information, 27-12-302, 27-12-306, 27-12-603, 27-12-702, 27-12-703
- records, 27-12-202, 27-12-702
- rules, 27-12-204, 27-12-205, 27-12-303
- scope of review, 27-12-105, 27-12-205
- service on chiropractic physician, 27-12-305
- settlement agreements, 27-12-606
- statute of limitation, effect on, 27-12-702
- witnesses, 27-12-106, 27-12-302, 27-12-502, 27-12-503

Settlement agreements, in review proceedings, 27-12-606
Statutes of limitations, 27-2-205, 27-12-702

MALPRACTICE, MEDICAL
See also **MALPRACTICE, CHIROPRACTIC; TORTS**, generally
Acupuncturists, cause for disciplinary action, 37-13-311
Arrest, 27-16-102
Autopsies — liability of medical examiner, mortuary, or physician, 44-3-401, 46-4-104
Blood and blood products, liability for furnishing and transfusions, 50-33-102, 50-33-103
Blood banks, liability concerning, 50-33-104
Citation of Montana Medical Legal Panel Act, 27-6-101
Definitions, 27-6-103
Dentists, cause for disciplinary action, 37-4-321
DMSO, use, 50-42-105
Drug products, liability of prescriber, 37-7-509
Emergency care, liability, 27-1-714
Evidence

- decision on, 27-6-602
- documentary, 27-6-308, 27-6-502
- hearings, 27-6-502, 27-6-503
- privilege, effect of waiver for review panel, 27-6-302, 27-6-306
- professional review committees, 37-2-201
- records, 27-6-703
- review panel decision and deliberations inadmissible, 27-6-704, 37-2-201

MALPRACTICE, MEDICAL (Continued)
Evidence (Continued)

- statements of fact by providers, 27-6-502

Good samaritan provisions, 27-1-714, 41-1-405
Health maintenance organization enrollees, claims made by, 33-31-303
Health service corporations, contractees — nonliability, 33-30-304
Insurance, See **INSURANCE, CASUALTY, Professional liability**
Laetrile, use, 50-41-104, 50-41-105
Minors, emergency care to, 41-1-405 — 41-1-407
Optometrists, cause for revocation or suspension of certificate, 37-1-131, 37-10-311, 39-71-316
Physicians, malpractice as unprofessional conduct, 37-3-322
Podiatrists, malpractice as unprofessional conduct, 37-6-310
Professional corporations, liability, 35-4-403 — 35-4-405
Provider's professional society or association

- application of claimant, copy to, 27-6-304, 27-6-402
- members of panel, selection, 27-6-402, 27-6-404

Purpose of Montana Medical Legal Panel Act, 27-6-102
Review by panel, 27-6-301, 27-6-701, 27-6-702, See also generally **REMEDIES; SPECIAL PROCEEDINGS**

- action prior to decision of panel prohibited, 27-6-301, 27-6-701, 27-6-702
- administration, 27-6-205, 27-6-206
- answer by provider, 27-6-306
- applicability of laws, 27-6-105
- application of claimant, 27-6-301 — 27-6-306, 27-6-402
- assessment on providers, 27-6-206, 27-6-207
- audits, 27-6-206, 27-6-207
- commencement of claim, 27-6-301
- counsel, 27-6-301, 27-6-306, 27-6-501 — 27-6-503, 27-6-605
- decision, 27-6-301, 27-6-602 — 27-6-606, 27-6-701, 27-6-703, 27-6-704
- definitions, 27-6-103
- director of panel, 27-6-201 — 27-6-203
  - applications, duties, 27-6-301, 27-6-304, 27-6-305, 27-6-402
  - assessment, powers and duties, 27-6-206, 27-6-207
  - counsel, appearance — entry, 27-6-306
  - evidence, documentary — furnished to panel members, 27-6-308
  - excuse of panel member by, 27-6-404
  - expert consultants, cooperation in obtaining, 27-6-307
  - funding, administration by, 27-6-206
  - hearings, duties, 27-6-501
  - pretrial review fund, administration, 27-6-206
  - records maintained by, 27-6-703
  - rulemaking authority, 27-6-204
- evidence, 27-6-302, 27-6-306, 27-6-308, 27-6-502, 27-6-503, 27-6-602, 27-6-703, 27-6-704, 37-2-201
- expert consultants, 27-6-307
- fees, 27-6-204, 27-6-206, 27-6-307
- forms, 27-6-205
- funding, 27-6-206, 27-6-207
- hearing, 27-6-202, 27-6-308, 27-6-501 — 27-6-503, 27-6-601
- jurisdiction of panel, 27-6-105, 27-6-205, 27-6-602
- multiple defendants, 27-6-403
- notice of hearing, 27-6-501
- panel, 27-6-103, 27-6-104, 27-6-205, 27-6-401 — 27-6-404
  - chairman, 27-6-601, 27-6-604
  - evidence, documentary — furnished to, 27-6-308
  - facilities, 27-6-202, 27-6-501
  - funding, 27-6-206, 27-6-207

MALPRACTICE, MEDICAL (Continued)
Review by panel (Continued)
    panel (Continued)
        hearing, extension of time for holding, 27-6-501
        immunity from liability, 27-6-106
        jurisdiction, 27-6-105, 27-6-205, 27-6-602
        multiple defendants, when, 27-6-403
        notice of hearing, 27-6-501
        offices, 27-6-202
        records, 27-6-202, 27-6-703
        report, annual, 27-6-206
        salaries, 27-6-201 — 27-6-203
        scope of authority, 27-6-105, 27-6-205, 27-6-602, 27-6-606
        settlement agreements, approval, 27-6-606
        staff, 27-6-202
        subpoenas, issuance, 27-6-205
        travel expenses, 27-6-203
    preexisting actions, 27-6-105
    pretrial review fund, 27-6-206
    privileged information, 27-6-302, 27-6-306, 27-6-603, 27-6-703, 27-6-704
    records, 27-6-202, 27-6-703
    rules, 27-6-204, 27-6-303
    scope of review, 27-6-105, 27-6-205
    service on provider, 27-6-305
    settlement agreements, 27-6-606, 37-3-322
    statute of limitation, effect on, 27-6-702
    witnesses, 27-6-106, 27-6-302, 27-6-502, 27-6-503
Settlement, 27-6-606, 37-3-322
Statutes of limitations, 27-2-205, 27-6-702
Tissue banks, liability concerning, 50-33-104
Unprofessional conduct, as, 37-3-322, 37-6-310
Veterinarians — cause for refusal, suspension, or revocation of license, 37-18-311

MAMMOGRAPHY EXAMINATIONS, 33-22-132, 33-31-102, 53-6-101

MANDAMUS, WRIT OF
    See also **WRITS**
Affidavit, 27-26-201
Alternative writ, 27-26-203, 27-26-204, 27-26-302
Answer, 27-26-302, 27-26-304, 27-26-307
Appeals, 27-26-103; Title 25, chapter 21, M.R.App.P., Rule 7
Applicability of laws, 27-26-103, 27-27-104
Application for writ, 27-26-201, 27-26-202
Availability generally, 27-26-102
Cities and towns
    refunding revenue bondholders, enforcement of rights, 7-7-4633
    revenue bond provisions, enforcement, 7-7-4429
City or town councils, to compel sufficient tax levy for bond issues, 7-7-4266
Content, 27-26-203
Costs, 27-26-402, 27-26-403
County Commissioners, Board of — to fix and make levy for school debt service fund deficiency, 20-9-439
County general obligation bonds, to compel sufficient tax levy for, 7-7-2266
Damages, 27-26-303, 27-26-402, 27-26-403
Default not permitted, 27-26-401
Defense, 27-26-304, 27-26-403
Denomination, 27-26-101
Enforcement, 27-26-206
Execution for costs and damages, 27-26-402

MANDAMUS, WRIT OF (Continued)

Facility siting requirements or rules, to enforce, 75-20-404
Fine, 27-26-206
Forest fire hazard reduction or management, enforcement, 76-13-410
Form, 27-26-203
Good faith, defense made in, 27-26-403
Grazing district fees, collection, 76-16-106
Health care facility certificate of need application, for decision, 50-5-302
Health facility authority bonds, to enforce, 90-7-304
Hearing, 27-26-301, 27-26-307
Housing authority obligees, remedies, 7-15-4529
Industrial development project bonds, enforcement of payment, 90-5-105
Insurance, commissioner of — action for, 33-1-318
Insurance holding company system determinations, enforcement, 33-2-1123
Irrigation district revenue bonds, resolutions for issuance — enforcement, 85-7-1431
Issue of fact or law, 27-26-303, 27-26-307
Judgment, 27-26-401, 27-26-402; Title 25, chapter 21, M.R.App.P., Rule 7
Jurisdiction
  district court, 3-5-302, 3-5-311, 27-26-102; Const., VII, 4
  supreme court, 3-2-202, 27-26-102; Const., VII, 2
Jury trial, 27-26-303, 27-26-306
Mandate, writ of — denomination as, 27-26-101
Megalandfill siting requirements or rules, to enforce, 75-10-940
Milk price control violations, remedy, 81-23-406
Mining
  metal mines, enforcement — reclamation violations, 82-4-354
  strip and underground mines, enforcement compelled
    operation violations, 82-4-252
    siting violations, 82-4-142
Name, 27-26-101
New trial, 27-26-103, 27-26-305, 27-26-306
Notice, 27-26-202, 27-26-204, 27-26-306
Parking commission obligees, enforcement of rights, 7-14-4664
Penalty for noncompliance, 27-26-206
Peremptory writ, 27-26-203, 27-26-204
Public officers, liability, 27-26-403
Recall petition, failure or refusal of officer to file, 2-16-615
Response to answer, 27-26-304
Return, 27-26-301
Securities violations, 30-10-305
Service, 27-26-205
Show cause, 27-26-203
Special improvement district bondholders, enforcement of rights, 7-12-4251
State procurement provisions, nonapplicability, 18-4-131
Stay of proceedings not allowed when, Title 25, chapter 21, M.R.App.P., Rule 7
Supreme court, proceedings in, Title 25, chapter 21, M.R.App.P., Rule 17, See also **SUPREME COURT, Original proceedings in; Writs**
Timeshare sales violations, 37-53-505
Trial, 27-26-303, 27-26-306
Utility provisions, compliance, 69-3-110
Water conservation revenue bonds, enforcement of bondholders' rights and remedies, 85-1-309

MARRIAGE
  See also **HUSBAND AND WIFE**
Abuse, See **ABUSE**

MARRIAGE (Continued)

Acknowledgments
  declaration of marriage, 40-1-311, 40-1-324, 40-2-312
  settlement contracts, 40-2-312
Adoption proceedings, consideration, 40-8-114, 49-1-102, 49-2-308, 49-3-204, 49-3-205
Age of consent, 40-1-202, 40-1-203
Annulment, See **Declaration of invalidity**
Antenuptial contract, See **Contract, antenuptial or postnuptial**
Application for license, See **Licenses**
Application of laws
  contract laws, applicability, 40-1-106
  premarital agreements, 40-2-602
  purpose, effectuation, 40-1-101, 40-1-102
  uniformity with other states, 40-1-102
  validity of marriage contract, 40-1-104
Authentication, See **Declaration of marriage**
Authority to solemnize, 40-1-301
Bigamy
  invalidity, ground for, 40-1-402
  unlawful, 40-1-401, 45-5-611, 45-5-612
Birth of children, legitimacy
  after marriage, 40-6-201
  invalid or prohibited marriages, born of, 40-1-401, 40-1-402
  prior to marriage, when born, 40-1-107, 40-6-203
Blood tests, See **Licenses**, serological test
Breach of promise, 27-1-602, See also **REMEDIES, Abolished causes of action**
Ceremony, performance of, Title 40, chapter 1, part 3, See **Solemnization**
Certificate of marriage, See also **Licenses; Registration; VITAL STATISTICS**
  certified copies, 50-15-109 — 50-15-112, 50-15-114
  contents, 40-1-107, 50-15-109
  evidence, 40-1-322, 50-15-109
  fees, 50-15-111, 50-15-301
  filing, 50-15-109
  form for and completion, 40-1-107, 40-1-301
  hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
  index, 7-4-2619
  information, duty to provide, 50-15-108
  issuance when, 40-1-202
    judicial approval required when, 40-1-213
  penalty for nonregistration or failure to return, 40-1-321
  recording, 40-4-108, 50-15-301
  report concerning, 50-15-301
  violations, 40-1-321, 50-15-114
Chemical dependency counseling, order for, 40-4-121
Children, legitimacy
  after marriage, 40-6-201
  invalid or prohibited marriages, born of, 40-1-401, 40-1-402
  prior to marriage, when born, 40-6-203
Clerk of district court, duties respecting, See **CLERK OF THE DISTRICT COURT**
Cohabitation, defined, 45-2-101, See **COHABITATION**
Common-law marriages
  presumption of marriage, 26-1-602
  validity, 40-1-403
Community property, disposition at death, Title 72, chapter 9, part 1, See **ESTATES AND PROBATE**
Conciliation of controversies, Title 40, chapter 3, See **CONCILIATION**

MARRIAGE (Continued)

Confidentiality of premarital examination, penalty for violations, 40-1-208
Consanguinity
    information required when, 40-1-107
    invalidity, ground for, 40-1-402
    prohibited marriages, 40-1-401
    unlawful marriages, 40-1-401, 45-1-205, 45-5-507
Consent
    age of, 40-1-202, 40-1-203, 40-1-213
    form for, 40-1-107
    incapacity to give, 40-1-402
    minors, required for, 40-1-203
    parent or guardian, required of, 40-1-203, 40-1-213, 72-5-103, 72-5-231
    parties, required of, 40-1-103
    serological test, 40-1-203
    validity of marriage, subject to, 40-1-402
Construction
    marriage laws, 40-1-101, 40-1-102
    premarital agreement law, 40-2-602
Consummation, validity of marriage subject to, 40-1-402
Contract, antenuptial or postnuptial, 40-2-303
    estates and probate, waiver of rights, 72-2-224
    premarital agreements, See **Premarital agreements**
    property distribution, 40-2-303, 40-2-311, 40-2-312, 40-2-314, 40-2-315
    settlement contracts, 40-2-311, 40-2-312, 40-2-314, 40-2-315
    statute of frauds, 28-2-903, 40-2-312
Contract of marriage
    alteration by contract, 40-2-303
    applicability of laws, 40-1-106
    civil contract, marriage as, 40-1-103
    obligations, mutual, 40-2-101
    presumption, 26-1-602
    statute of frauds, 28-2-903
    validity, 40-1-103, 40-1-104
Contract restraining marriage void, 28-2-706, 70-1-404
Contract to marry
    breach of contract generally, 27-1-603
    breach of promise, action abolished, 27-1-602, See also **REMEDIES, Abolished causes of action**
    specific performance unavailable, 27-1-412
Contract upon consideration of marriage, writing required, 28-2-903
Counselors
    conciliation court, appointment for, 40-3-124, 40-3-125
    minors, prerequisite for marriage, 40-1-213
Cousins, first — marriage prohibited, 40-1-401
Debts, Title 40, chapter 2, See **HUSBAND AND WIFE**
Declaration of invalidity, 50-15-101
    acknowledgment, 40-1-311, 40-1-324
    basis for declaration, 40-1-402
    certificates, 50-15-303
        certified copies, 50-15-109 — 50-15-112, 50-15-114
        contents, evidence, and filing, 50-15-109
        fees, 50-15-111
        violations, 50-15-114
    children, legitimacy when born of invalid marriage, 40-1-401, 40-1-402

MARRIAGE (Continued)
Declaration of invalidity (Continued)
- conciliation proceedings
  - effect, 40-3-111, 40-3-127
  - petition filed when, 40-3-121
- decree
  - grounds for and effective date, 40-1-402
  - report to department of health and environmental sciences, 50-15-302
- disability insurance, continued coverage for spouse, See **INSURANCE, DISABILITY, Individual family members continuity of coverage**
- dissolution of marriage provisions, applicability, 40-1-402
- effective date of decree, 40-1-402
- estates and probate, effect on, 72-2-224, 72-2-812, 72-2-814
- exemptions, 40-1-403
- fees and costs, 40-4-110
- grounds for, 40-1-402
- information, duty to provide, 50-15-108
- name of wife, former name restored, 40-4-108
- paternity
  - action joined when, 40-6-109
  - presumption when, 40-6-105
- premarital agreement, enforcement, 40-2-609
- proceedings
  - conciliation proceedings, effect, 40-3-127
  - "decree" includes "judgment", 40-1-105
  - pleadings, how denominated, 40-1-105
  - rules of civil procedure, applicability, 40-1-105; Title 25, chapter 20, M.R.Civ.P., Rule 4D
  - service of process by publication, 25-3-504, 25-3-505; Title 25, chapter 20, M.R.Civ.P., Rule 4D
- prohibited marriages, 40-1-401
- property settlement, 40-4-202
- putative spouse, rights regarding, 40-1-404
- recording, 50-15-109 — 50-15-112, 50-15-114, 50-15-303, See also **VITAL STATISTICS**
- regulation by state, 40-1-103
- report concerning, 50-15-302
- rules of civil procedure, applicability, 40-1-105, 40-4-103; Title 25, chapter 20, M.R.Civ.P., Rule 4D
- service of process by publication, 25-3-504, 25-3-505; Title 25, chapter 20, M.R.Civ.P., Rule 4D
- statute of limitation, 40-1-402
- unknown parties defendant, 25-3-504, 25-3-505, Title 25, chapter 20, M.R.Civ.P., Rule 4D
- vital statistics, 50-15-109 — 50-15-112, 50-15-114, 50-15-303, See also **VITAL STATISTICS**

Declaration of marriage, See also **Registration**; **Solemnization**
- contents, 40-1-311
- drafting of, persons authorized, 40-1-312
- filing and fee, 25-1-201, 40-1-311, 52-6-105
- fine for violations, 40-1-313
- proof of solemnization when record nonexistent
  - acknowledgment and filing, 40-1-324
  - contents, 40-1-323
- requirements, 40-1-311
- validity, 40-1-403
- violation of provisions, 40-1-313

Discrimination due to marital status, See **DISCRIMINATION**
Displaced homemakers, Title 39, chapter 7, part 3, See **DISPLACED HOMEMAKERS**

MARRIAGE (Continued)

Dissolution of marriage, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE**
Divorce, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE**
Domestic violence, See **ABUSE**
Duress as ground for invalidity, 40-1-402
Estates and probate, 72-2-224, 72-2-812, 72-2-814
Evidence of marriage, 26-1-602, 40-1-322, 40-1-324, 50-15-109
  hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 803, 804
Family law mediation, Title 40, chapter 4, part 3
Family Policy Act, 40-7-101, 40-7-102
Fees
  certificates, 50-15-111, 50-15-301
  declaration of marriage, 25-1-201
  licenses, 25-1-201, 40-1-202, 40-1-311, 50-15-301, 52-6-105
Force as ground for invalidity, 40-1-402
Foreign marriages, validity, 40-1-104
Fraud as ground for invalidity, 40-1-402
Guardians of minors, consent by, 40-1-203, 40-1-213, 72-5-103, 72-5-231
  test errors expunged when, 40-1-204
    reports, rules for, 40-1-206
  serological test approved by, 40-1-206
Hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 803, 804
Husband and wife relationship, Title 40, chapter 2, See **HUSBAND AND WIFE**
Illegal marriages, 40-1-401
Incapacity as ground for invalidity, 40-1-402
Incestuous marriage
  invalidity, ground for, 40-1-402
  unlawful, 40-1-401, 45-1-205, 45-5-507
Information, duty to provide, 50-15-108
Interpretation, 40-1-103
Invalid marriages, 40-1-401, See also **Declaration of invalidity**
Kinship prohibitions, 40-1-401, See also **Consanguinity**
Legal separation of spouses, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE, Separation agreement**
Licenses, Title 40, chapter 1, part 2
  age, proof required, 40-1-202, 40-1-203
  application
    collateral information required, 40-1-202, 40-1-203
    form and contents, 40-1-107, 40-1-201
    nonresidents, 40-1-201
  authorization for solemnization, 40-1-201
  birth certificate required, 40-1-203
  confidentiality, penalty for violations, 40-1-208
  county where license must be obtained, 40-1-201
  discrimination in issuance prohibited, 49-3-204
  effective period, 40-1-212
  expenses, administrative, 40-1-209
  fee, 25-1-201, 40-1-202, 40-1-311, 50-15-301, 52-6-105
  fine for violations, 40-1-208
  form for, 40-1-107
  identification to establish age, as, 45-8-206
  issuance, 40-1-202
    judicial approval required when, 40-1-202, 40-1-213
    nonresident requirements, 40-1-201, 40-1-205
    prohibited when, 40-1-210
  liquor or drugs, applicant under influence of — issuance prohibited, 40-1-210

MARRIAGE (Continued)
Licenses (Continued)

- medical certificate requirements, 40-1-202, 40-1-203
  - contents and form, 40-1-204
  - military personnel or nonresidents, acceptable when, 40-1-205
- minors
  - consent requirements, 40-1-203, 40-1-213
  - judicial approval and counseling required when, 40-1-202, 40-1-203, 40-1-213
- penalties for violations, 40-1-208
- place to obtain, 40-1-201
- premarital examination requirements, 40-1-202, 40-1-203
  - declaration of marriage without solemnization, required for, 40-1-311
  - free examination when, 40-1-207
  - laboratories, approval and reports, 40-1-206
- required for solemnization, 40-1-201
- serological test requirements, 40-1-203 — 40-1-206
- solemnization, license as authorization for, 40-1-107
- time limitation, 40-1-212
- violations and penalty, 40-1-208

Liquor or drugs, applicant under influence of
- invalidity, ground for, 40-1-402
- license, issuance prohibited, 40-1-210

Medical certificate required, See **Licenses**
Mental capacity, validity of marriage subject to, 40-1-402
Minors, See also **Children**
- contract restraining, 28-2-706, 70-1-404
- counseling requirements, 40-1-213
- guardianship, termination, 72-5-233
- invalidity, ground for, See **Declaration of invalidity**
- judicial approval required when, 40-1-202, 40-1-203, 40-1-213
- parental authority ceases when, 40-6-234
- parents or guardian, consent required, 40-1-203, 40-1-213, 40-1-402, 72-5-103, 72-5-231
  - lack of, effect, 40-1-402
- premarital examinations, 40-1-203
- settlement contracts, 40-2-311, 40-2-312, 40-2-314, 40-2-315

Montana Family Policy Act, 40-7-101, 40-7-102
Nonresidents, requirements, 40-1-201, 40-1-205
Obligations, 40-2-101
Out-of-state marriages, validity, 40-1-104
Parental consent required when, 40-1-203, 40-1-213, 40-1-402
- delegation of power prohibited, 72-5-103
- lack of, effect, 40-1-402

"Partner" defined, 40-4-121
Paternity, presumption when, 40-6-105, 40-6-128
Performance of, Title 40, chapter 1, part 3, See **Solemnization**
Perpetuities, statutory rule against, 72-2-1005
Polygamy prohibited, 40-1-401, 45-5-611, 45-5-612
Postmarital agreements, statutory rule against perpetuities, 72-2-1005
Premarital agreements
- amendment, 40-2-607
- application and construction of provisions, 40-2-602
- citation of uniform premarital agreement act, 40-2-601
- content, 40-2-605
- definitions, 40-2-603
- effective when, 40-2-603, 40-2-606
- enforceability, 40-2-608
  - consideration, without, 40-2-604, 40-2-607

MARRIAGE (Continued)
Premarital agreements (Continued)
  enforceability (Continued)
    when marriage void, 40-2-609
  formalities, 40-2-604
  perpetuities, statutory rule against, 72-2-1005
  revocation, 40-2-607
  statute of limitation, 40-2-610
Premarital examination, See **Licenses**
Prenuptial or postnuptial agreements or contracts, 40-2-303; See **Contract, antenuptial or postnuptial**
Presumption, 26-1-602, 40-1-322
Proceedings, 40-1-105
Prohibited marriages, 40-1-401
  proof marriage not prohibited, required when, 40-1-202
Proof of solemnization, See **Declaration of marriage**
Property of husband or wife, Title 40, chapter 2, See **HUSBAND AND WIFE**
Proxy, authorization and procedures, 40-1-213, 40-1-301
Purpose of marriage laws, 40-1-101
Putative spouse, status and rights, 40-1-404
Reconciliation of spouses, Title 40, chapter 3, See **CONCILIATION**
Recording, See **Certificate of marriage; Declaration of invalidity**, certificates; See also **VITAL STATISTICS**
Registration, See also **Declaration of marriage; Solemnization**
  certificate and copy as presumptive evidence of marriage, 40-1-322
  penalty for nonregistration, 40-1-321
Relationship, Title 40, chapter 2, See also **HUSBAND AND WIFE**
  alteration by contract, 40-2-303
  defined or interpreted, 40-1-103
Relatives, See **Incestuous marriage**
Religious record, hearsay exception, Title 26, chapter 10, M.R.Ev., Rule 803
Remarriage following dissolution, 40-4-108
Reports
  certificates of marriage, 50-15-301
  laboratory, 40-1-203, 40-1-205 — 40-1-209
Restraint by contract void, 28-2-706, 70-1-404
Retirement system benefits, alternate payees, 19-2-907
Ritual, 40-1-301
Rules of Civil Procedure, applicability, 40-1-105
Separation, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE**
Serological test, See **Licenses**
Settlement contracts, 40-2-311, 40-2-312, 40-2-314, 40-2-315
Siblings — marriage of, prohibited, 40-1-401
Solemnization, See also **Declaration of marriage; Registration**
  authorization for, 40-1-201
  formal procedures, 40-1-301
  license required, 40-1-201
  officiator, lack of authority — effect, 40-1-301
  penalty for not filing certificate of marriage, 40-1-321
  proxy, authorization and procedures, 40-1-213, 40-1-301
Termination of marriage, Title 40, chapter 4, See **DISSOLUTION OF MARRIAGE**
Uniformity in application of laws, 40-1-102
Uniform Marriage and Divorce Act, Title 40, chapters 1 and 4, See **DISSOLUTION OF MARRIAGE; MARRIAGE**
Uniform Premarital Agreement Act, Title 40, chapter 2, part 6
Unlawful marriages, 40-1-401, 45-1-205, 45-5-507, 45-5-611, 45-5-612
Validity
  common-law marriages, 40-1-403

MARRIAGE (Continued)
Validity (Continued)

- declaration of marriage, 40-1-403
- invalidity, grounds for, 40-1-402
- person solemnizing, lack of authority, 40-1-301
- prior marriage contracts, 40-1-104
- putative spouses, 40-1-404
- regulation, state — determined by, 40-1-103

Vital statistics, Title 50, chapter 15, part 3; See **Certificate of marriage; Declaration of invalidity**, certificates; **VITAL STATISTICS**
Voidable, 40-1-401, 40-1-402, See also **Declaration of invalidity**

MASTER AND SERVANT
See **LABOR AND EMPLOYMENT, Personal services contracts**; See also **LABOR AND EMPLOYMENT**, generally

MATERNITY LEAVE, 49-2-310, 49-2-311

MATTRESSES
Condemnation of mattress, 50-36-106
Definitions, 50-36-101
Inspections, 50-36-103
Labeling, 50-36-104, 50-36-105
Rules, 50-36-102, 50-36-105, 50-36-106
Violations, 50-36-105 — 50-36-107

MATURE DEFENSIVE DRIVING ACT, 33-16-203, 33-16-221 — 33-16-225

MAUSOLEUMS AND COLUMBARIUMS
See also **CEMETERIES**
Annual reports, 35-21-612, 35-21-618, 35-21-619
Applicability of laws, 35-21-103, 35-21-202, 35-21-403, 35-21-408
Citation of Mausoleum-Columbarium Act, 35-21-101
City-county consolidated government, authority of director of public works, 7-3-1331
Construction, 35-21-707, 35-21-708, 35-21-710 — 35-21-712
Contract, power to, 35-21-202
Cremation, Title 37, chapter 19, part 7, See also **CREMATORIUMS AND CREMATORY OPERATORS**
- records, 35-21-502

Definitions, 35-21-102, 35-21-614 — 35-21-616
Desecration, 35-21-701 — 35-21-702
Directors, board of, 35-21-102, 35-21-205, 35-21-206, 35-21-404, 35-21-609, 35-21-624
Dissolution, 35-21-406
Endowment care, 35-21-601, 35-21-605 — 35-21-607, 35-21-614, 35-21-622
Endowment care fund, 35-21-601, 35-21-605
- annual report, 35-21-612
- charitable contributions, 35-21-614, 35-21-623
- gifts, 35-21-613, 35-21-614, 35-21-622
- income, use, 35-21-603
- investment, 35-21-601, 35-21-603, 35-21-604, 35-21-609, 35-21-618
- loan of fund, 35-21-624, 35-21-625
- principal inviolable, 35-21-602
- trustees, 35-21-608
  - bank or trust company as, 35-21-610
  - compensation, 35-21-611
  - directors of authority as, 35-21-609
  - funds held in name of, 35-21-601
  - loan of funds to, prohibited, 35-21-624, 35-21-625
  - merchandise trust, trustees for, 35-21-626

MAUSOLEUMS AND COLUMBARIUMS (Continued)

Endowment care mausoleum-columbarium, 35-21-615, 35-21-617 — 35-21-619, 35-21-621
Exemptions from provisions, 35-21-103
Highways through property, 35-21-409
Incorporation, 35-21-201, 35-21-204
Indebtedness, right to incur, 35-21-202
Interference with funerals or interment, 35-21-704
Interments, regulation, 35-21-212, See also **Right of interment**
Landscaping, 35-21-211, 35-21-622, 35-21-704
Liabilities
  interment, authorization for — person signing, 35-21-302
  interment costs, 35-21-301
  mausoleum-columbarium authority, 35-21-303, 35-21-304
  vandalism, 35-21-704, 35-21-705
Loan of funds, 35-21-624, 35-21-625
Merchandise trust fund, 35-21-626
Monuments, markers, and structures — regulation, 35-21-209, 35-21-210
Motor vehicles, gross vehicle weight fee exemption, 61-10-214
Nonendowment care mausoleum-columbarium, 35-21-616, 35-21-620, 35-21-621
Notices
  dedication of property for interment purposes, 35-21-405
    removal, 35-21-410, 35-21-411
  multiple owners, designation of representative, 35-21-432
  removal of remains, application for, 35-21-306
Peace officer, person in charge has authority of, 35-21-216
Personal conduct, regulation, 35-21-213
Plants and shrubs, 35-21-211, 35-21-622, 35-21-704
Plots, 35-21-102
  descent upon death of owner, 35-21-421, 35-21-423
  endowment care, See **Endowment care** entries
  family plot, 35-21-424 — 35-21-426
  inalienable when, 35-21-424
  indivisible, separate conveyed plots, 35-21-414
  interments, regulation, 35-21-212, See **Right of interment**
  joint tenancy, 35-21-429 — 35-21-431
  multiple owners, 35-21-432
  property rights of owner, 35-21-418, 35-21-423
  records, 35-21-501 — 35-21-503
  rules for, 35-21-214, 35-21-412
  sale, 35-21-307, 35-21-412, 35-21-413, 35-21-415, 35-21-416, 35-21-428
Powers of corporation, 35-21-202 — 35-21-204
Preexisting corporations, 35-21-103, 35-21-203, 35-21-407
Property, See also **Plots**
  acquisition, 35-21-217
  damage, 35-21-704 — 35-21-706
  dedication
    completion, 35-21-403
    effect, 35-21-406, 35-21-409
    encumbrance subordinate to, 35-21-407
    filing, 35-21-402
    notice, as, 35-21-405
    perpetuities, does not violate, 35-21-408
    presumption, 26-1-602
    removal, 35-21-410, 35-21-411
    sale of plots, 35-21-412
  encumbrance, 35-21-202, 35-21-407

MAUSOLEUMS AND COLUMBARIUMS (Continued)
Property (Continued)

- endowment care, See **Endowment care** entries
- gift, 35-21-217, 35-21-622
- inheritance tax exemption, 35-21-422
- plat or map, 35-21-401 — 35-21-405, 35-21-412
- resurvey, 35-21-404
- use limited, 35-21-208

Purposes of corporation
Railroads through property, 35-21-409
Records, 35-21-501 — 35-21-503
Remains, 35-21-102, 35-21-404, 35-21-703

- disposition, 35-21-301 — 35-21-304, 35-21-417
- removal, 35-21-305 — 35-21-307, 35-21-410, 35-21-421, 35-21-701, 35-21-702, 50-15-405

Right of interment

- affidavits, 35-21-423, 35-21-431
- family plot, 35-21-425, 35-21-426
- joint tenants, 35-21-429 — 35-21-431
- multiple owners, 35-21-432
- records, 35-21-501 — 35-21-503
- rules for, 35-21-214
- spouse, 35-21-419, 35-21-420
- termination, 35-21-427
- vested right, limitation, 35-21-433

Roads through property, 35-21-409
Rules, 35-21-207, 35-21-214, 35-21-216, 35-21-412, 35-21-706

- publication, 35-21-215

Secretary, 35-21-609
Sexton, 35-21-216
Short title, 35-21-101
Special care funds, 35-21-601, 35-21-624, 35-21-625
Statute of limitation on actions against, 35-21-304
Streets through property, 35-21-409
Taxation

- inheritance tax exemption, 35-21-422
- property tax exemptions, 15-6-201, 35-21-403; Const., VIII, 5

Trusts, 35-21-622, 35-21-624 — 35-21-626, See also specific fund
Utilities, installation through property, 35-21-409
Vandalism, 35-21-704, 35-21-705
Violations, 35-21-713

- construction violations, 35-21-712
- disposition of remains with particular authority, commission or rebate for, 35-21-417
- endowment care, violations generally, 35-21-621
- incorporation, operation without, 35-21-201
- loan of funds, illegal, 35-21-625
- plots, sale
  - commission or rebate, for, 35-21-416
  - resale or profit, for, 35-21-415
- property, damage or destruction, 35-21-704, 35-21-705
- remains
  - attachment or detention, 35-21-703
  - mutilation or unauthorized removal, 35-21-702
  - sale or dissection, for, 35-21-701

MAXIMS OF JURISPRUDENCE, Title 1, chapter 3
See **LAW**

MAYORS
See also **CITY OFFICERS; PUBLIC OFFICERS OR EMPLOYEES**
Absence, 7-3-4221
Administrative
assistants, 7-3-4101, 7-3-4102
powers, 7-5-4102
Annexation
approval, 7-2-4201
map or plat, approval, 7-2-4203
Appraisers, appointment when, 7-14-4201
Attachment of property, service on mayor, 27-18-406
Bond, official, — statement for release of surety filed with, 2-9-523, See also **SURETY BONDS, City officers and employees; Official bonds**
Bonds, signing, 7-7-4255, 7-12-4203, 7-12-4342, 7-31-112
Books and accounts, inspection by, 7-6-4105
Budget
commerce, department of — notification of failure to receive, 7-6-4233
estimates, 7-6-4221
preparation, 7-2-4101
Budget and finance director
appointment, 7-3-4101
relationship, 7-3-4102
Business improvement districts, appointing authority, 7-12-1103, See **BUSINESS IMPROVEMENT DISTRICTS**
Bylaws, approval, 7-5-4201
Chief executive officer of city or town, mayor as, 7-4-4114, See also **CITIES AND TOWNS, Chief executive**
Citizens
failure to obey call from, 7-4-4304
powers relating to, 7-4-4303
City attorney
appointment, 7-4-4602
opinions, 7-4-4604
City, governed by, 7-3-4205, See also **MUNICIPAL COMMISSION GOVERNMENT, Mayor**
City marshal
appointment, 7-4-4103
residency requirements, 7-32-301
waiver, 7-32-302
City officers and personnel
appointment, 7-3-4101, 7-4-4101 — 7-4-4103, 7-4-4303
powers relating to, 7-3-4101, 7-4-4303
City or town councils
meetings called by, when, 7-5-4102, 7-5-4122
powers regarding, 7-3-4252, 7-5-4102
presiding officer, 7-3-4221, 7-5-4102
Claims, warrants for, 7-6-4302
Commission-chairman form of government, See **COMMISSION-CHAIRMAN FORM OF GOVERNMENT, Commission**, chairman
Commission-executive form of government, See **COMMISSION-EXECUTIVE FORM OF GOVERNMENT, Executive**
Commission form of government, See **COMMISSION FORM OF GOVERNMENT: MUNICIPAL COMMISSION GOVERNMENT**
Commission-manager form of government, See **COMMISSION-MANAGER FORM OF GOVERNMENT; MUNICIPAL COMMISSION-MANAGER GOVERNMENT**

MAYORS (Continued)

Compensation, 7-3-4255, 7-3-4321
Conflict of interest, 7-5-4109
Contracts, conflict of interest, 7-5-4109
Council-mayor form of government, 7-1-114, 7-3-113
County water and/or sewer district board of directors, appointments to, 7-13-2232, 7-13-2234, 7-13-2235, 7-13-2259 — 7-13-2261
Courts — substitute justice or judge, mayor may call when, 3-11-203
Defined, 7-14-4602, 7-15-4206, 7-15-4402, 7-32-4153, 76-1-103
Departments and divisions, control, 7-3-4101, 7-3-4221, 7-3-4254
Designation, 7-3-4319
Disasters or emergencies, See **EMERGENCIES AND EMERGENCY POWERS**
Election of, 7-2-4107, 7-3-4213 — 7-3-4215, 7-4-4101 — 7-4-4103
Elections
  certificate, transmittal, 7-3-4309
  proclamation, 7-3-4209, 7-3-4213, 7-3-4306, 7-3-4310
Executive officer of city or town, as, 7-4-4114
Executive powers, 7-5-4102
Extraterritorial powers, 7-4-4306
Financial statements, duties, 7-5-4102
Fines and forfeitures, remittance, 7-4-4305
Fire departments, chiefs of
  appointment, 7-33-4106, 7-33-4122
  suspension, 7-33-4123
Firefighters
  appointment, 7-33-4106, 7-33-4122
  suspension, 7-33-4123
Franchises, granting, 7-5-4321, 7-5-4322
Highway patrol officers, mayor may request arrest by — when, 44-1-1001
Housing authorities
  commissioners
    appointment, 7-15-4406, 7-15-4431
    charges, filing, 7-15-4437
    proceedings, filing, 7-15-4438
    removal, 7-15-4436
    term of office, designation, 7-15-4432
  dissolution, certification of resolution, 7-15-4423
  reports to, 7-15-4467
Interlocal cooperation commission, appointment of members, 7-11-207
Libraries, appointment of board of trustees, 22-1-308
Marriage, solemnization by, 40-1-301
Meetings called by, 7-3-4220, 7-3-4322, 7-5-4102, 7-5-4122
Militia, power to call, 7-4-4303, 7-4-4304
Municipal council-mayor form of government, 7-1-114, 7-3-113
New cities and towns, election for, 7-2-4107
Oath, 7-3-4217
  administering, 7-5-4102
Official bonds, statement for release of surety filed with, 2-9-523, See also **SURETY BONDS, City officers and employees; Official bonds**
Ordinances and resolutions, See **CITIES AND TOWNS, Ordinances and resolutions**
Pardons, power to grant, 7-4-4305
Park Commissioners, Board of
  appointment, 7-16-4202
  member of, 7-16-4202
  qualifications, 7-16-4203

MAYORS (Continued)

Parking commission members
  appointment, 7-14-4609
  removal, 7-14-4611
Peace officers, qualification for appointment, 7-32-303
Planning boards
  members, appointment, 76-1-221, 76-1-223
  vacancies filled by, 76-1-204
Police
  application for position filed with, 7-32-4108
  appointment, 7-32-303, 7-32-4103, 7-32-4108
    revocation, 7-32-4113
  certificate of qualification filed with, 7-32-4108
  charges against, decisions regarding order for enforcement, 7-32-4160, 7-32-4161, 7-32-4164
  chief of, salary increase, 7-4-4202
  commission, appointment of members, 7-32-4151
  definitions, 7-32-4153
  department, supervision, 7-32-4103
  dismissal, 7-32-4103
  examinations, approval of rules for, 7-32-4154
  gifts to, approval for retention by officer, 19-19-304
  reinstatement, submission of recommendation for, 7-32-4110
  residency requirements, 7-32-301
    waiver, 7-32-302
  rules regarding, 7-32-4103
  suspension, 7-31-4103
  temporary employment of persons doing police work, 7-32-4109
Police retirement fund board of trustees, member of, 19-19-201
Posses, organizing, 7-32-304, 7-32-2112
Powers, 7-3-4251, 7-3-4320, 7-4-4303, 7-5-4102
  administrative and executive, 7-5-4102
  extraterritorial, 7-4-4306
  pardons, to grant, 7-4-4305
Property
  attachment, service on mayor, 27-18-406
  bids by, when, 7-5-4102
  real, execution of conveyances, 7-3-4368
Public water supply systems, complaints regarding pollution of, 75-6-104
Qualifications, 7-4-4301
Recall, 7-3-4319, See also **RECALL**
Reorganization
  certificate of adoption, 7-3-4309
  election for
    adoption, certificate, 7-3-4212
    proclamation, 7-3-4209
Role, 7-3-4320
Salary, 7-3-4255, 7-3-4321
Seal of city or town, custody, 7-5-4102
Smoke abatement bonds, signing, 7-31-112
Special improvement districts
  bonds and warrants, signing, 7-12-4203
  resolution for tax levy, signing, 7-12-4176
Street grade changes, appointment of appraisers, 7-14-4201
Street lighting districts
  bonds and warrants, signing, 7-12-4342

MAYORS (Continued)
Street lighting districts (Continued)

- resolution for assessment of installation costs, signing, 7-12-4328

Street parking improvement districts, abandonment — authorization, 7-12-4501
Strong mayor form of government, See **CITIES AND TOWNS, Government**
Succession of officials, emergency, 10-3-604 — 10-3-606
Tax sales, refund on voided sale, 15-17-326
Term of office, 7-3-4214, 7-3-4216, 7-3-4316, 7-4-4302
Tie votes, decision on, 7-5-4102
Towns, mayors of, 7-4-4103
Urban renewal agency board of commissioners, appointment, 7-15-4234
Vacancy in office, 7-3-4218, 7-3-4221, 7-3-4319, 7-4-4301
Voting rights, 7-3-4205, 7-3-4251, 7-5-4102
Warrants

- drawn by, 7-6-4104, 7-6-4108, 7-6-4302
- signing, 7-5-4102, 7-12-4203, 7-12-4342

Winter work committee

- appointment, 7-16-4302, 7-16-4303
- minutes, filed with, 7-16-4309

MEAT AND MEAT PRODUCTS
Additives, 81-9-217
Adulterated products, 50-31-202, 81-9-220, 81-9-231, 81-9-234
Advertising, 81-9-220

- beef patty mix, 50-31-208

Applicability of federal laws, 81-9-219
Artificial flavorings or colorings, 81-9-217
Branding, 81-9-217, 81-9-220, 81-9-227, 81-9-228, 81-9-234
Butchering livestock or poultry for personal use, exemption, 81-9-111, 81-9-112, 81-9-218
Butchers, See **Establishments; Official establishments**
Buying unlawful when, 81-9-234
Chief meat inspector, 81-9-217, See also **Inspections; Inspectors**

- appeals to, 81-9-231
- appointment, 81-9-226
- enforcement by, 81-9-226
- health and environmental sciences, department of — cooperation with, 81-9-233
- inspection service, application information required by, 81-9-227
- inspection stamps, jurisdiction, 81-9-228
- inspectors
  - appointment, recommendation for, 81-9-226
  - assignment, 81-9-229
- laboratory
  - pathogenic examinations, for, 81-9-230
  - state, consultations with, 81-9-233
- official establishments
  - appeals from, 81-9-231
  - time for slaughtering or processing meat, arrangements, 81-9-229
- records, availability to, 81-9-220
- rules, recommendations for, 81-9-220
- supervision by, 81-9-226

Citation of Meat and Poultry Inspection Act, 81-9-216
City

- ordinances regarding, 81-2-105
- regulation, 7-21-4202

Condemnation of

- carcasses, 81-9-231, 81-9-234
- perishables, 50-31-510

MEAT AND MEAT PRODUCTS (Continued)

- **Containers**, 81-9-217, 81-9-218, 81-9-220
- **Contamination**, 81-9-217
- **Counterfeit certificates, stamps, or labels**, 81-9-234
- **Custom slaughtering**, exemption, 81-9-218
- **Deceptive practices**, 81-9-217, 81-9-234
- **Definitions**, 50-31-103, 81-9-217
- **Destruction of adulterated or diseased livestock, poultry, or products**, 81-9-220, 81-9-231
- **Diseased carcasses or animals**, 81-9-231, 81-9-234, See also **LIVESTOCK, Disease control**
- **Donated food**, liability when unfit for human consumption, 27-1-716
- **Enforcement of provisions**, 81-9-116, 81-9-226
- **Equine carcasses or products**, regulation, 81-9-232, 81-9-234
- **Establishments**
  - appeals, 81-9-235
  - bills of sale, 81-9-112
  - carcasses
    - marking, 81-9-112
    - seizure and sale, 81-9-116
    - uninspected, purchase unlawful, 81-9-115
    - violations, reporting, 81-9-114
  - city ordinances, 81-2-105
  - consignment permits, validity and filing, 81-3-203
  - custom slaughtering provision, 81-9-218
  - enforcement, 81-9-116
  - fees, 81-3-205, 81-9-113, 81-9-201
  - hamburger, regulation, See **Hamburger**
  - hide dealers and buyers, applicability of provisions, 81-9-401
  - hides, 81-9-111, 81-9-112, 81-9-115
  - imported livestock, 81-2-703
  - inspections and inspectors, See also **Inspections; Inspectors**
    - board, refusal to inspect, 81-9-220
    - city ordinances, 81-2-105
    - expenses, payment, 81-2-109
    - fees, 81-3-205, 81-9-113
    - food establishment provisions, exclusion, 50-50-102
    - hides, 81-9-111, 81-9-112
    - officers' authority, 81-9-116
    - official establishment applicants, facilities and equipment, 81-9-227
    - premises, 81-9-116, 81-9-227
    - records, 81-9-112
    - rules, 81-2-102
    - uninspected hides, carcasses, or meat, 81-9-115
    - violations, reporting, 81-9-114
  - inspection service, application for and granting, 81-9-227
  - licenses, 50-31-205, 81-9-201, See also **FOOD AND FOOD PRODUCTS, Permits for manufacturing, processing, and packing; FOOD ESTABLISHMENTS**
    - discrimination in issuance prohibited, 49-3-204
    - exceptions, 81-9-202
    - fees, 81-9-201
    - food establishment provisions, exclusion when, 50-50-102
    - refusal, 81-9-220
    - suspension or revocation, 81-9-114, 81-9-201, 81-9-235
  - location, city regulation, 7-21-4204
  - market consignment permits, validity and filing, 81-3-203

MEAT AND MEAT PRODUCTS (Continued)
Establishments (Continued)

- meat held in violation, seizure and sale, 81-9-116
- minors' employment prohibited, 41-2-106, 41-2-107
- official, See **Official establishments**
- permits for operation when, 50-31-205, See **FOOD AND FOOD PRODUCTS, Permits for manufacturing, processing, and packing**
- records, 81-9-112, 81-9-118
- sanitary conditions, 81-2-102
    - custom slaughtering, 81-9-218
    - inspection expenses, 81-2-109
    - license revocation when, 81-9-201
- supervision, 81-2-102
- transportation permits, validity and filing, 81-3-203
- violations, See **Violations**

Exemptions, 81-9-218, 81-9-234
False advertising, 81-9-220
False or misleading labeling, 81-9-217
False statements or representations, 81-9-234
Falsification of records, 81-9-118
Farmers' markets, Title 7, chapter 21, part 33, See **PRODUCE**
Federal laws, 81-2-102, 81-9-217, 81-9-219
Fines for violations, 50-31-506, 81-9-118, 81-9-234
Food, Drug, and Cosmetic Act, 81-9-217; Title 50, chapter 31
Food establishments, 50-50-102, See **FOOD ESTABLISHMENTS**
Forgery of stamps, marks, or certificates, 81-9-234
Fraud, 81-9-234
Frozen food lockers, 50-50-401 — 50-50-403
Game animals or birds

- frozen food lockers, tagging or declaration requirements, 50-50-401
- game farm animal carcasses or products, regulation, 81-9-232
- meat from, donated to public entities when, 87-1-226, 87-1-512
- possession or sale for commercial purposes, 87-4-416, 87-4-701, 87-4-705, 87-4-911

Hamburger, 50-31-103

- fines, 50-31-506
- labeling and sale restrictions, 50-31-208
- violations, 50-31-506, 50-31-508

Hearings, 81-9-235, 81-9-236
Hides

- dealers, Title 81, chapter 9, part 4
- inspection, 81-9-111, 81-9-112
- unlawful purchase, 81-9-115

Horse carcasses or products, regulation, 81-9-232, 81-9-234
Ingredients, 50-31-208, 81-9-217, 81-9-220
Injunction of violations, 50-31-508, 81-9-236
Inspections, See also **Chief meat inspector; Inspectors**

- ante-mortem, 81-3-203, 81-3-211, 81-9-112, 81-9-220, 81-9-226, 81-9-230
- certificate of, 81-9-112
    - hides and carcasses, 81-9-111 — 81-9-113
    - receipt for bill of sale, 81-9-112
- city ordinances, 81-2-105
- establishments
    - board's refusal to inspect, 81-9-220
    - hides and carcasses, 81-9-111 — 81-9-114
    - official establishment applicants, facilities and equipment, 81-9-227
    - premises, 81-9-116, 81-9-227
- expenses, 81-2-109

MEAT AND MEAT PRODUCTS (Continued)
Inspections (Continued)

- fees, 81-3-205, 81-9-113
- hides, 81-9-111 — 81-9-113
- identification as "Montana inspected and passed", 81-9-220
- official legend required on containers, 81-9-217
- post-mortem, 81-9-220, 81-9-226, 81-9-230
- preparation of products, 81-9-217, 81-9-220, 81-9-232, 81-9-234
- reinspections, 81-9-220
- seizure when, 81-3-204
- slaughter
  - equines, game farm animals, or rabbits, 81-9-232, 81-9-234
  - livestock or poultry, 81-9-217, 81-9-229, 81-9-230, 81-9-234
- violations, 81-3-211

Inspection service
- application for, 81-9-227
- renewal, suspension, or revocation, 81-9-233, 81-9-235

Inspection stamps, 81-9-228, 81-9-234
Inspector, See **Chief meat inspector**
Inspectors, See also **Chief meat inspector; Inspections**
- appointment, 81-9-226
- assignment, 81-9-226, 81-9-229
- authority, 81-9-116
- condemnation of carcasses, 81-9-231
- conflict of interest, 81-9-226
- expenses, 81-3-205, 81-9-113
- fees, 81-9-113
- hides, 81-9-111 — 81-9-113
- laboratory for pathogenic examinations, 81-9-230
- marking of carcasses, 81-9-112
- nepotism, 81-9-226
- records, availability to, 81-9-220
- seizure of meat, sale, 81-9-116

Investigations, 81-9-220
Labeling, 50-31-208, 81-9-217, 81-9-218, 81-9-220, 81-9-227, 81-9-228, 81-9-234
"Livestock" defined, 81-9-217
Markets, Title 7, chapter 21, part 33, See **Establishments**; **Official establishments**; See also **PRODUCE**
Marking, 81-9-112, 81-9-217, 81-9-218, 81-9-220, 81-9-227, 81-9-228, 81-9-234
Meat and Poultry Inspection Act, 81-9-216 — 81-9-220, 81-9-226 — 81-9-236
Misbranded meat, 81-9-217, 81-9-234
"Montana inspected and passed" stamp, 81-9-220, 81-9-228
Noncompliance with provisions, 81-9-235
Official establishments, 81-9-217
- appeals, 81-9-231, 81-9-235
- approval, 81-9-227
- establishment number
  - assignation, 81-9-227
  - containers, required on, 81-9-217
  - renewal, suspension, or revocation, 81-9-235
- inspections, See **Inspections**
- inspection service, 81-9-227, 81-9-233
- inspection stamps, 81-9-228, 81-9-234
- inspectors
  - assignment to, 81-9-226, 81-9-229
  - condemnation of carcasses, 81-9-231
- minors' employment prohibited, 41-2-106, 41-2-107

MEAT AND MEAT PRODUCTS (Continued)
Official establishments (Continued)

  - notice to, hearings, 81-9-235
  - preparation of products, 81-9-217, 81-9-220, 81-9-232, 81-9-234
  - quarantines, 81-9-220
  - sanitation requirements, 81-9-220
    - enforcement, 81-9-226
    - minimum requirements, failure to meet, 81-9-233
  - segregation
    - equines, game farm animals, or rabbits, 81-9-232
    - livestock or poultry, 81-9-220, 81-9-230
  - slaughter
    - equines, game farm animals, or rabbits, 81-9-232, 81-9-234
    - livestock or poultry, 81-9-217, 81-9-229, 81-9-230, 81-9-234

Organic foods, 50-31-222, 50-31-223
Packinghouses, See **Establishments; Official establishments**
Penalties for violations, 81-9-118, 81-9-234
Pesticide chemicals, 81-9-217
Pork research and marketing, Title 81, chapter 8, part 6, See **LIVESTOCK**
"Poultry" defined, 81-9-217
Preparation of products, 81-9-217, 81-9-218, 81-9-232, 81-9-234
Rabbit carcasses or products, regulation, 81-9-232
Records, 81-9-112, 81-9-118, 81-9-220, 81-9-234
Rendering or disposal plants, exemption, 81-9-218
Rulemaking authority, 81-2-102, 81-9-201, 81-9-217, 81-9-220, 81-9-232, 81-9-234, 81-9-235
Sales
  - city or town regulation, 7-21-4202
  - custom slaughtering, exemption provision, 81-9-218
  - game animals or birds, See **Game animals or birds**
  - hamburger, restrictions, 50-31-208
  - meat held in violation, seizure and sale, 81-9-116
  - unlawful when, 81-9-234

Samples for analysis or testing, 81-2-102
Sanitation requirements, See **Establishments; Official establishments**
Seizure of meat held in violation, 81-9-116
Slaughter
  - equines, game farm animals, or rabbits, 81-9-232, 81-9-234
  - livestock or poultry, 81-9-217, 81-9-229, 81-9-230, 81-9-234
  - personal or household use, for — exemption, 81-9-111, 81-9-112, 81-9-218

Slaughterhouses, Title 81, chapter 9, part 2, See **Establishments; Official establishments**
Standards, 81-2-102, 81-9-220
State meat inspection program
  - administration assistance, 81-9-233
  - installation, 81-2-102
  - supervision and enforcement, 81-9-226

State meat inspection service, 81-9-227, 81-9-233, 81-9-235
Statistics concerning, 81-2-102
Supervision of provisions, 81-2-102, 81-9-226
Transportation
  - permits, validity and filing, 81-3-203
  - unlawful when, 81-9-234

Unfair practices, 81-9-217, 81-9-234
Unfit for human food, 81-9-217, 81-9-234
  - donated food, liability when, 27-1-716

Uninspected
  - purchase unlawful, 81-9-115

MEAT AND MEAT PRODUCTS (Continued)
Uninspected (Continued)

    sale or transportation unlawful, 81-9-234
Unlawful practices, 81-9-234
Unsanitary conditions, 81-2-109, 81-9-201, 81-9-217
U.S. Department of Agriculture
    inspection stamp, state stamps not to conflict with, 81-9-228
    rule requirements, consistency with, 81-9-220
U.S. secretary of agriculture
    consultations, 81-9-217
    cooperating agency, 81-9-233
Vending, See **Sales**
Veterinary meat inspectors, 81-9-226, See **Inspectors**
Violations
    establishments
        generally, 81-9-118, 81-9-234
        hides, noninspection and nonidentification, 81-9-111
        license, failure to have, 81-9-201
        records, falsification, 81-9-118
        reporting of violations and failure to, 81-9-114
        uninspected hides or carcasses, purchase, 81-9-115
    hamburger labeling, 50-31-506
    injunction to restrain, 50-31-508, 81-9-236
    inspections, ante-mortem — failure to have, 81-3-211
Weights, measures, or numerical counts, 30-12-401, 81-9-217, 81-9-220
Wild animals
    game farm animal carcasses or products, regulation, 81-9-232
    meat donated to public entities when, 87-1-226, 87-1-512

MEDAL OF VALOR, MONTANA, 1-1-515

MEDIA CONFIDENTIALITY ACT, Title 26, chapter 1, part 9
    See **EVIDENCE, Privileges**

MEDIATION
Agriculture, producers and distributors — controversies, 80-11-103
Collective bargaining for public employees, 39-31-307, 39-31-309, 39-34-101
Disabilities, children with — surrogate parents, 20-7-462
Family law, Title 40, chapter 4, part 3, See **FAMILY LAW MEDIATION**
Human skeletal remains and burial site materials, treatment and disposition — disputes, 22-3-804, 22-3-805
Partnership business, winding up — disputes, 35-10-609
Water mediators, 85-5-110, 85-5-111
Workers' compensation disputes, See **WORKERS' COMPENSATION, Mediation of disputes**

MEDICAID
    See **PUBLIC ASSISTANCE**

MEDICAL EXAMINERS, BOARD OF, 2-15-1841; Title 37, chapter 3, part 2
    See **PHYSICIANS AND SURGEONS**

MEDICAL EXAMINER, STATE
    See **FORENSIC SCIENCE**

MEDICAL LEGAL PANEL ACT, Title 27, chapter 6
    See **MALPRACTICE, MEDICAL, Review by panel**

MEDICAL RECORDS
    See **HEALTH CARE INFORMATION**

MEDICARE
  See **SOCIAL SECURITY**

MEDICARE SUPPLEMENT INSURANCE MINIMUM STANDARDS ACT, Title 33, chapter 22, part 9
  See **INSURANCE, DISABILITY, Medicare supplement insurance**

MEDICINE AND MEDICAL CARE
Abortion, Title 50, chapter 20
Acupuncture, Title 37, chapter 13
Adoption
  care, cost of services, 40-8-135, 40-8-136
  history of child and parent, 40-8-109
  subsidy, hard-to-place children, 52-2-509
Adult protective service teams, membership, 52-3-805
AIDS, Title 50, chapter 16, part 10, See **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Alcohol abuse and dependence, See **CHEMICAL DEPENDENCY**
Alcoholic beverages administered for medicinal purposes or medicines containing, 16-1-202 — 16-1-204, 16-6-305
Ambulances, See **EMERGENCY MEDICAL SERVICES**
Anatomical gifts, Title 72, chapter 17
Anesthesiologists or anesthetists, 37-4-511
Audiology, Title 37, chapter 15
Autopsies, See **FORENSIC SCIENCE**
Birth
  abortion, Title 50, chapter 20
  certificates, Title 50, chapter 15, part 2
  control, 37-2-104, 37-7-103, 37-26-301, 50-31-307, See **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Contraceptive**
  sterilization, Title 50, chapter 5, part 5
Blood and bones, See **BLOOD, TISSUE, ORGANS, AND BONES**
Bottled water, health claims prohibited, 50-31-237
Brain injury, traumatic, 53-6-501, 53-6-502
Calcium-EAP, use, 50-43-101, See **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**
Cardiopulmonary resuscitation, do not resuscitate, 50-10-101 — 50-10-107
Casualty insurance, Title 33, chapter 23, part 3, See **INSURANCE, CASUALTY**
Chemical dependency, See **CHEMICAL DEPENDENCY**
Child protective teams, 41-3-108
Chiropody, Title 37, chapter 6
Chiropractic, Title 27, chapter 12; Title 37, chapter 12, **MALPRACTICE, CHIROPRACTIC**
Clinical laboratory science practitioners, Title 37, chapter 34
Clinics
  AIDS testing and counseling, 50-16-1003, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
  health care information, See **HEALTH CARE INFORMATION**
  medicaid, payment for services, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
  mental health, Title 53, chapter 21, See **MENTAL ILLNESS OR INCAPACITY, Mental health facilities**
  minors, consent for health services, 41-1-402
"Commercial medical waste incinerator" defined, 75-2-231
Communicable diseases, reporting, 37-2-301, 50-18-106, See also **DISEASES**

MEDICINE AND MEDICAL CARE (Continued)

Convalescent homes and hospitals, See **HEALTH CARE FACILITIES; NURSING HOMES**
Coroner, See **COUNTY CORONER; FORENSIC SCIENCE, Medical examiner, state**
Corpses, See **DEATH**
CPR, do not resuscitate, 50-10-101 — 50-10-107
Crime victims
  reparation
    benefits, 53-9-128
    evidence, 53-9-123
  services, 46-24-201
Criminal pathology, See **FORENSIC SCIENCE**
Damages, future — periodic payments to judgment creditors, 25-9-401 — 25-9-406
Dentistry, Title 37, chapter 4
Denturitry and denturists, nonapplicability of provisions, 37-29-302
Detention center inmates, 7-32-2222, 7-32-2246
Developmentally disabled persons, Title 53, chapter 20, See **DEVELOPMENTALLY DISABLED PERSONS, Medical treatment**
Dialysis, 33-31-301, 50-5-101, 50-44-101, 50-44-102
Disability insurance, insured's selection of practitioner, 33-22-111
Diseases, See **DISEASES**
DMSO, authorization, 50-42-102, See **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Dimethyl sulfoxide**
Do not resuscitate identification, 50-10-101 — 50-10-107
Doctors, Title 37, chapter 3, See **PHYSICIANS AND SURGEONS**
Drug abuse and dependence, See **CHEMICAL DEPENDENCY**
Drugs and controlled substances, See **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**
Emergency services, Title 50, chapter 6, See **EMERGENCY MEDICAL SERVICES**
Employment, preemployment physicals, 39-2-301, 39-72-404
Equipment, tax classification, 15-6-138
Estates, claim against — priority, 72-3-807
  small estates, 72-3-1103, 72-3-1104
Ethics, Title 27, chapters 6 and 12; Title 37, chapter 12, See **MALPRACTICE, CHIROPRACTIC; MALPRACTICE, MEDICAL**
Evidence, See also **EVIDENCE, Medical** entries
  professional review committees, evidential privilege when, 37-2-201
  sexual offenses, 46-15-411
Facilities, Title 50, chapter 5, See **HEALTH CARE FACILITIES**; specific facility
Family practice training program, 50-5-601 — 50-5-603, 50-5-611
Forensic medicine, See **FORENSIC SCIENCE**
Genetics program, voluntary statewide, 33-2-712, 33-2-713, 50-19-211
Guardianship, See **GUARDIANS AND GUARDIANSHIP**
Gunshot wounds, reporting, 37-2-302, 37-2-303
Harnosal, use, 50-43-101, See **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Calcium-EAP, harnosal, and phosetamin**
Hazardous chemicals, chemical identity provided in treatment of exposed person, 50-78-205
Hazardous waste management, Title 75, chapter 10, part 10
Healing arts, practice of, 37-3-103
Health Care Information Act, Uniform, Title 50, chapter 16, part 5
Health maintenance organizations, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS**
Health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
Hearing clinicians, clinics, therapists, therapy, or centers, Title 37, chapter 15

MEDICINE AND MEDICAL CARE (Continued)

HIV and HIV-related condition, Title 50, chapter 16, part 10, See **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Home arrest, conditions and responsibilities, 46-18-1003, 46-18-1005
Home health care, insurance coverage for, 33-1-208, 33-22-1001 — 33-22-1003, See also **INSURANCE, DISABILITY**
Hospices and hospitals, Title 50, chapter 5, See **HEALTH CARE FACILITIES**
Infectious waste management, Title 75, chapter 10, part 10, See **HAZARDOUS WASTES**
Insurance
  disability, insured's selection of practitioner, 33-22-111
  information and privacy protection act, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
  liability, Title 33, chapter 23, part 3, See **INSURANCE, CASUALTY**
  medical-surgical care, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
Kidney disease, 33-31-301, 50-5-101, 50-44-101, 50-44-102
Laboratories, See **LABORATORIES**
Laetrile, authorization, 50-41-102, See **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Laetrile**
Liability, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, CHIROPRACTIC; MALPRACTICE, MEDICAL**
Lien for services, Title 71, chapter 3, part 11
Living wills, Title 50, chapter 9, parts 1 and 2, See **LIVING WILLS**
Local Citizen Review Board, membership requirements, 41-3-1003
Long-term care insurance, 33-1-208, 33-20-127, 33-20-128; Title 33, chapter 22, part 11, See **INSURANCE, DISABILITY**
Malpractice, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, CHIROPRACTIC; MALPRACTICE, MEDICAL**
Managed care, Title 39, chapter 71, part 11, See **WORKERS' COMPENSATION**
Medical examiner, See **COUNTY CORONER; FORENSIC SCIENCE**
Medical jurisprudence, See **FORENSIC SCIENCE**
Medical records, See **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS; HEALTH CARE FACILITIES, Records; HEALTH CARE INFORMATION; INSURANCE, Information and privacy protection; PHYSICIANS AND SURGEONS, Records**
Medicare, Title 19, chapter 1, See **SOCIAL SECURITY**
Mental Disabilities Board of Visitors, representation on, 2-15-211
Mental health corporation board, representation, 53-21-204
Mentally ill persons, Title 53, chapter 21, See **MENTAL ILLNESS OR INCAPACITY, Medical treatment**
Metabolic testing of newborns, Title 50, chapter 19, part 2, See **BIRTH**
Midwives, Title 37, chapter 27
Minors, See **MINORS, Medical care**
Naturopathic medicine, practice of, Title 37, chapter 26
Newborn infants, See **BIRTH; MINORS**
9-1-1 emergency telephone system, Title 10, chapter 4, parts 1 — 3
Nuclear, Title 90, chapter 5, part 2, See **RADIOACTIVE SUBSTANCES, Nuclear Compact, Western Interstate**
Nursing, Title 37, chapter 8
Nursing homes, See **NURSING HOMES**
Obscene material, public display or dissemination to minors — nonapplicability of provisions when, 45-8-206
Occupational disease benefits, 39-72-704, See also **LABOR AND EMPLOYMENT, Health safeguards; OCCUPATIONAL DISEASE**
Optometry, Title 37, chapter 10
Organs or organ donations, Title 72, chapter 17, See also **BLOOD, TISSUE, ORGANS, AND BONES**

MEDICINE AND MEDICAL CARE (Continued)

Osteopathy not practice of, 37-5-102
Paramedical specialists, 37-3-103
Payment for services
  health maintenance organizations, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
  late payment, charge for — exclusion, 31-1-501
  medicaid or public assistance recipients, Title 53, chapter 6, See **PUBLIC ASSISTANCE**
  medicare, Title 19, chapter 1, See **SOCIAL SECURITY**
Peer review, 50-16-504, See also **Professional review committees**
Personal injury claims, See **PERSONAL INJURY**
Pharmacies, Title 37, chapter 7
Phenylketonuria (PKU)
  insurance coverage for treatment, 33-22-131, 33-31-102
  midwives, client screening procedures, 37-27-312
  testing for, 50-19-211
Phosetamin, use, 50-43-101, See **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Calcium-EAP, harnosal, and phosetamin**
Physical therapy, Title 37, chapter 11
Physician assistants-certified, Title 37, chapter 20
Physicians, Title 37, chapter 3
Podiatry, Title 37, chapter 6
Power of attorney, authority relating to medical care, 72-31-201, 72-31-233
Practice of medicine, 37-3-102
  drug product selection not, 37-7-508
  health maintenance organizations, exemption from provisions, 33-31-111
  midwifery, direct-entry — practice not, 37-27-104
  nurses, applicability of provisions, 37-8-103
  respiratory care, not, 37-28-201
Preemployment physicals, 39-2-301
Preferred providers, Title 39, chapter 71, part 11, See **WORKERS' COMPENSATION**
Prenatal care, Title 50, chapter 19, part 1, See **PREGNANCY**
Professional liability, See **INSURANCE, CASUALTY; MALPRACTICE, CHIROPRACTIC; MALPRACTICE, MEDICAL**
Professional review committees
  access to information, 50-16-202
  confidentiality, 50-16-203 — 50-16-205
  "data" defined, 50-16-201
  inadmissibility, 50-16-205
  information, disclosure and use, 50-16-529, 50-16-542
  legal panel review proceedings, 27-12-302, 27-12-306
  nonliability, 37-2-201
  publication and use of information, 50-16-204
  reporting of incompetence or unprofessional conduct, 37-3-401 — 37-3-405
Prosthetic devices, See **PROSTHETIC DEVICES**
Psychiatry, See **PSYCHIATRY AND PSYCHIATRISTS**
Psychology, Title 37, chapter 17
Public assistance recipients, Title 53, chapter 6, See **PUBLIC ASSISTANCE, Medical care**
Purpose of provisions, 37-3-101
Radiation therapy, Title 75, chapter 3
Radiology, Title 37, chapter 14
Records, See **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS; HEALTH CARE FACILITIES, Records; HEALTH CARE INFORMATION; INSURANCE, Information and privacy protection; PHYSICIANS AND SURGEONS, Records**
Renal disease treatment program, 50-44-101, 50-44-102

MEDICINE AND MEDICAL CARE (Continued)

Research and development projects, 90-3-102
Research facility grants, 90-3-901
Resort tax, nonapplicability, 7-6-4461
Respiratory care practitioners, Title 37, chapter 28
Rural physician incentive program, 20-26-1501 — 20-26-1503
Sexually transmitted diseases, See **DISEASES**
Sexual offenses, medical evidence, 46-15-411
Silicosis, Title 39, chapter 73, See **SILICOSIS**
Speech-language pathology, Title 37, chapter 15
Stab wounds, reporting, 37-2-302, 37-2-303
Stalking offenders, payment of victim's costs, 45-5-220
Sterilization, Title 50, chapter 5, part 5
Surgeons, Title 37, chapter 3, See **PHYSICIANS AND SURGEONS**
Terminally ill persons, withholding or withdrawal of life-sustaining treatment, Title 50, chapter 9, parts 1 and 2, See **LIVING WILLS**
Tissue banks, 50-33-104
Transplants, Title 72, chapter 17, See also **BLOOD, TISSUE, ORGANS, AND BONES**
Traumatic brain injury, 53-6-501, 53-6-502
Tuberculosis, Title 50, chapter 17, See **DISEASES**
Tumor registration, Title 50, chapter 15, part 7
Uniform Health Care Information Act, Title 50, chapter 16, part 5, See **HEALTH CARE INFORMATION**
Utilization review, See **Professional review committees**
Veterinary medicine, Title 37, chapter 18
Waste management, Title 75, chapter 10, part 10
Welfare recipients, Title 53, chapter 6, See **PUBLIC ASSISTANCE, Medical care**
Western Regional Higher Education Compact, Title 20, chapter 25, part 8, See **HIGHER EDUCATION**
Workers' compensation, Title 39, chapter 71
X-rays, Title 37, chapter 14; Title 75, chapter 3
Youth correctional facilities, examination required prior to commitment, 52-5-108

MEETINGS OR LAWFUL ASSEMBLIES
Disturbing or disrupting, 45-8-101
Freedom of assembly, Const., II, 6
Health officer may prohibit, 50-2-118
Open meetings, See **OPEN MEETINGS**
Public participation in government, See **PUBLIC PARTICIPATION IN GOVERNMENT**

MEGALANDFILL SITING
  See also **UTILITIES**
Actions
  public officer's or employee's failure to enforce provisions, mandamus, 75-10-940
  violations, recovery of penalty or injunction to restrain, 75-10-943
  water supply, damage to — recovery of damages, 75-10-941
Administration of provisions, 75-10-902, 75-10-921
Administrative procedure, applicability, 75-10-928, 75-10-942
Administrative remedies, 75-10-921
Alternate locations, application requirements, 75-10-918
Alternatives to proposed facilities, 75-10-935
Appeals
  amendment to certificate, from departmental determinations, 75-10-925
  decisions, from, 75-10-942
  order, stay or suspension when, 75-10-944

MEGALANDFILL SITING (Continued)

Applicant, 75-10-950, See also **Application**
- appeals, 75-10-942
- bond required when, 75-10-951
- burden of proof in proceedings, 75-10-928
- compliance statement, 75-10-935
- contracts for information or departmental services, 75-10-908, 75-10-921
- environmental impact statement, 75-10-921
- filing fees, 75-10-906, 75-10-908, 75-10-910, 75-10-919, 75-10-921, 75-10-945
- financial assurance requirements, 75-10-950 — 75-10-954
- long-range plan, 75-10-913
- party to proceedings, 75-10-927
- supplemental material submitted when, 75-10-919
- wildlife habitat loss, mitigation, 75-10-929

Application, 75-10-903, See also **Applicant**
- amendment, 75-10-919
- contents, 75-10-906, 75-10-907, 75-10-918, 75-10-923
- costs of processing, 75-10-921
- decision concerning, 75-10-929, See also **Decisions**
  - judicial review, 75-10-942
- deficiencies, 75-10-922
- denial, 75-10-929
- evaluation, factors considered, 75-10-906, 75-10-920
- false statements, 75-10-923, 75-10-939, 75-10-943
- filing, 75-10-906, 75-10-914, 75-10-918
  - fees, 75-10-910, 75-10-921, 75-10-945
  - information prior to, 75-10-908
  - long-range plan required prior to, 75-10-913
- form, 75-10-918
  - failure to file in, 75-10-923
- granting, 75-10-929
- hearing, 75-10-925
- license, for, 75-10-933, 75-10-935, 75-10-942, 75-10-950, 75-10-951
- long-range plan required, 75-10-913
- new, required when, 75-10-919
- notice and proof of, 75-10-906, 75-10-918
- prehearing conference, 75-10-926
- public inspection, 75-10-918
- receipt of, procedures following, 75-10-922
- rules, 75-10-903, 75-10-906, 75-10-907, 75-10-923
- service of copies, proof of, 75-10-906, 75-10-918
- voiding when, 75-10-923

Approval of facilities, recommendation for, 75-10-926

Bond
- injunction or restraining order without, 75-10-943
- surety bond required when, 75-10-945, 75-10-951
  - forfeiture, 75-10-952 — 75-10-954

Certificate of site acceptability, 75-10-903
- amendment, 75-10-919, 75-10-925
- applicant or application, See **Applicant**; **Application**
- compliance, 75-10-935, 75-10-938, 75-10-943
- conditions
  - compliance statement, 75-10-935
  - imposition, 75-10-929, 75-10-930
  - noncompliance, 75-10-939

MEGALANDFILL SITING (Continued)
Certificate of site acceptability (Continued)

  decision concerning, 75-10-929, See also **Decisions**
  denial, 75-10-929
  injunction to enforce, 75-10-943
  issuance, 75-10-903, 75-10-914, 75-10-916
  modification, 75-10-929, 75-10-930
  noncompliance, 75-10-938, 75-10-939, 75-10-943
  required, 75-10-902, 75-10-916, 75-10-943
  transferability, 75-10-917
Certification proceedings
  burden of proof, 75-10-928
  decision, 75-10-929, See also **Decisions**
  evidence, witnesses, and testimony, 75-10-924, 75-10-926
  findings necessary for certification, 75-10-922, 75-10-928, 75-10-929
  hearings, 75-10-924
    examiner to conduct, 75-10-926
    record of, 75-10-928
  licensing process concurrent with, 75-10-933
  parties to, 75-10-927
  procedures governing, 75-10-928
  record, 75-10-928, 75-10-929
  rules, 75-10-906, 75-10-928
  statement of intent to participate, 75-10-927
Change in facility or location, amendment to certificate, 75-10-925
Citation of Megalandfill Siting Act, 75-10-901
Civil action or penalty, 75-10-943
Closure of facility, natural resources damaged or impaired by, 75-10-951 — 75-10-954
Compliance with provisions, 75-10-935, 75-10-938, 75-10-943
Conditions
  amendment to certificate, 75-10-925
  certificate, 75-10-929, 75-10-930
    compliance, 75-10-935
    noncompliance, 75-10-939
  financial assurance, 75-10-951
  license, 75-10-933, 75-10-934, 75-10-951
Conservation districts, reclamation work, 75-10-953
Construction, 75-10-903
  application, evaluation — considerations, 75-10-920
  certificate of site acceptability required, 75-10-902, 75-10-916, 75-10-943
  conformance with license, 75-10-933
  natural resources damaged or impaired by, 75-10-951 — 75-10-954
  proposed facilities, study, 75-10-914
Contempt when, 75-10-940
Contracts
  information or departmental services, 75-10-908, 75-10-921
  reclamation work, 75-10-953
County governing bodies
  application, copy to, 75-10-918
  long-range plan filed with, 75-10-913
  party to proceedings, 75-10-927
Damages
  natural resources, to, 75-10-951 — 75-10-954
  order, delay in enforcement, 75-10-945
  water supply, to, 75-10-941
Decisions
  application for certificate, granting or denying, 75-10-929

MEGALANDFILL SITING (Continued)
Decisions (Continued)

  certificate, 75-10-921, 75-10-929
  financial assurance requirement, release, 75-10-951
  judicial review, 75-10-942
  license, granting or denying, 75-10-933, 75-10-935
  parties to proceeding involving issuance, 75-10-927
  rendered when, 75-10-929
Definitions, 75-10-903, 75-10-950
Denial of facilities, recommendation for, 75-10-927
"Dispose" or "disposal" defined, 75-10-903
Economic factors, See **Environmental, social, and economic factors**
Enforcement, 75-10-902
  actions for, 75-10-943
  order, delay — damages, 75-10-945
  residents, by, 75-10-940
Entry on land, departmental right when, 75-10-953
Environmental impact statements
  fee, filing — credit against, 75-10-921
  proposed facility, report on — inclusion, 75-10-922
Environmental protection agencies, involvement, 75-10-913
Environmental Quality Council
  application, copy to, 75-10-918
  long-range plan filed with, 75-10-913
  party to proceedings, 75-10-927
Environmental, social, and economic factors
  application, evaluation — considerations, 75-10-906, 75-10-920
  certification, findings necessary for, 75-10-929
  license, statement included, 75-10-935
  proposed change in facilities or location, 75-10-925
  proposed facilities, study, 75-10-914, 75-10-918
Evidence
  amendment to certificate, burden of proof concerning proposed changes, 75-10-925
  certification proceedings, 75-10-924, 75-10-926, 75-10-928
False statements, 75-10-923, 75-10-939, 75-10-940, 75-10-943
Federal
  agencies
    application, copy to, 75-10-918
    objections to facilities, 75-10-935
    parties to proceedings, 75-10-927
    reclamation, cooperative projects, 75-10-953
  environmental impact statements, 75-10-921
  regulations, consideration, 75-10-920
  studies and reports, use, 75-10-922
Financial assurance requirements, 75-10-950 — 75-10-954
Fines, 75-10-943, 75-10-954
  disposition, 75-10-910, 75-10-954
Grants, gifts, and funds, 75-10-909
Hazardous waste, illegal dumping, 75-10-920
Information
  amendments, for, 75-10-919
  application, requirements, 75-10-918, 75-10-919, 75-10-921
  contracts for, 75-10-908, 75-10-921
  false, 75-10-943
  financial assurance requirement, relevant to decision to release, 75-10-951
  long-range plan, additional — for, 75-10-913
  proposed facilities, study, 75-10-914, 75-10-918

MEGALANDFILL SITING (Continued)

Injunction, 75-10-943, 75-10-953
Inspection of land, departmental right when, 75-10-953
Judicial remedies, 75-10-921
Judicial review of decisions, 75-10-942
Land use
    evaluation of application, considerations, 75-10-920
    planning agencies
        application, copy to, 75-10-918
        involvement, 75-10-913
        parties to proceedings, 75-10-927
License to operate
    application, 75-10-933, 75-10-935, 75-10-950, 75-10-951, See also **Application**
    bond requirements, 75-10-951
        forfeiture when, 75-10-952
    certification process, licensing process concurrent with, 75-10-933
    compliance, statement of — inclusion, 75-10-935
    conditions, 75-10-933, 75-10-934, 75-10-951
    decision concerning, 75-10-933, 75-10-935
        judicial review, 75-10-942
    denial, 75-10-933
    environmental evaluation statement, inclusion, 75-10-935
    financial assurance requirements, 75-10-950 — 75-10-954
    hearing, 75-10-939
    issuance, 75-10-914, 75-10-933, 75-10-935
    modifications, 75-10-933, 75-10-934
    monitoring, plan for — inclusion, 75-10-935
    required, 75-10-221, 75-10-902, 75-10-933, 75-10-935, 75-10-943, 75-10-950
    revocation or suspension, 75-10-939
    rules, 75-10-907
    transferability, 75-10-934
Local government
    executive officers
        application, copy to, 75-10-918
        party to proceedings, 75-10-927
Local laws or regulations, application, 75-10-929
Location
    certification hearing, 75-10-924
    change, proposed, 75-10-925
    facility
        application, contents, 75-10-918
        certificate of site acceptability required, 75-10-902
        certification, findings necessary for, 75-10-929
        long-range plan, contents, 75-10-913
        modification, 75-10-930
Long-range plan, 75-10-913, 75-10-914, 75-10-943
Maintenance of facility, 75-10-933, 75-10-943
Mandamus, action of, 75-10-940
Megalandfill reclamation account, 75-10-954
Megalandfill Siting Act, Title 75, chapter 10, part 9
Modifications
    bond terms and conditions, 75-10-951
    certificate, contained in, 75-10-929, 75-10-930
    license, contained in, 75-10-933, 75-10-934
Monitoring, 75-10-907, 75-10-935, 75-10-938
Natural resources, damaged or impaired, 75-10-951 — 75-10-954

MEGALANDFILL SITING (Continued)

Noncompliance with provisions, 75-10-938, 75-10-939, 75-10-943
Nonprofit organizations, parties to proceedings, 75-10-927
Objections to facilities, 75-10-926, 75-10-935
Operation of facility
  application, evaluation — considerations, 75-10-920
  certificate required, 75-10-943
  license required, 75-10-902, 75-10-933, 75-10-943
  monitoring, 75-10-938
  natural resources damaged or impaired by, 75-10-951 — 75-10-954
  water supply, damage to — recovery of damages, 75-10-940
Operator, financial assurance requirements, 75-10-951 — 75-10-954
Opinions
  certification proceedings, 75-10-929
  license, decision on — issuance with, 75-10-935
  parties to proceeding involving issuance, 75-10-927
Penalties, 75-10-940, 75-10-943, 75-10-954
  disposition, 75-10-910, 75-10-954
Planning boards, 75-10-918, 75-10-927
Prehearing conference and order, 75-10-926
Proposed change in facilities or location, 75-10-925
Proposed facilities
  alternatives, 75-10-935
  certification, findings necessary for, 75-10-929
  long-range plan, identified in — study, 75-10-914
  study, evaluation, and report, 75-10-922, 75-10-924
Public officers or employees, failure to enforce provisions, 75-10-940
Purpose of provisions, 75-10-902
Reclamation account, megalandfill, 75-10-954
Reclamation of natural resources, 75-10-950 — 75-10-954
Residents
  enforcement by, 75-10-940
  modification of location, notice, 75-10-930
  parties to proceedings, 75-10-927
Restraining orders, 75-10-943
Social factors, See **Environmental, social, and economic factors**
Solid waste management, 75-10-903
  certification, findings necessary for, 75-10-929
  district
    application, copy to, 75-10-918
    party to proceedings, 75-10-927
  facilities, existing — modification and upgrading, 75-10-903
  plans, consideration, 75-10-920
Solid waste management account, deposits to and use, 75-10-910, 75-10-921, 75-10-943
Surety bond required when, 75-10-945, 75-10-951
Taxes, disposition, 75-10-910
Transfer facilities, 75-10-920
Violations, 75-10-939
  fines, 75-10-943
  injunction or restraining order, 75-10-943
  license, revocation or suspension for, 75-10-939
  penalties, 75-10-910, 75-10-940, 75-10-943
  rules, of, 75-10-939, 75-10-943
Water quality, evaluation of application — considerations, 75-10-920
Water supply, damage to — recovery of damages, 75-10-941
Wildlife habitat loss, mitigation, 75-10-929

MEGALANDFILL SITING (Continued)

Witnesses, certification proceedings, 75-10-924, 75-10-926

MENACE, 28-2-403
Animal fights, causing — unlawful, 45-8-210
Beavers or muskrats, menace to irrigation projects or ponds, 87-3-501
Coal mines, standing water which might cause flooding, 50-73-203
Compulsion, as defense to criminal offense, 45-2-212
Contracts, See **CONTRACTS, Consent**
Denturists, conditions at place of business, 37-29-311
Developmentally disabled persons, exploitation, 52-3-803
Drug and alcohol abuse, protection from, 20-25-601
Dwelling accommodations, unsafe or unsanitary, 7-15-2101, 7-15-4102, 7-15-4401
Economic insecurity, 39-51-102, 90-8-102
Elderly persons, exploitation, 52-3-803
Elections, influence by, 13-35-217
Fences, wire — fallen or sagging, 81-4-105
Forests
    lands, insect pests or diseases, 76-13-302, 76-13-303
    timber, slash, or brush to constitute fire menace, 76-13-102
Horses, abandoned and running at large, 81-4-502
Insect pests or diseases, 76-13-302, 76-13-303, 80-7-114
Labor and employment, unsafe conditions, 50-71-327
Livestock
    garbage feeders, violations and restraining orders, 81-2-507
    rendering or disposal plants, violations and restraining orders, 81-9-303
Milk and milk products, unfair trade practices, 81-23-102
Threat, defined as, 45-2-101
Urban renewal, blighted areas, 7-15-4202, 7-15-4206

MENTAL DISABILITIES BOARD OF VISITORS, Title 53, chapter 20, part 1
    See **DEVELOPMENTALLY DISABLED PERSONS; MENTAL ILLNESS OR INCAPACITY**

MENTAL ILLNESS OR INCAPACITY
    See also **DEVELOPMENTALLY DISABLED PERSONS; DISABLED PERSONS**
Abuse or neglect
    emergency protective services, 52-3-804
    evidence of, gathering and submission, 52-3-815
    protection and advocacy system, investigation and reports, 53-21-169
Actions
    capacity as party, Title 25, chapter 20, M.R.Civ.P., Rules 17(c), 25(b)
    commitment, fact inadmissible when, 53-21-190
    default judgment against, Title 25, chapter 20, M.R.Civ.P., Rule 55(b)
    depositions when, Title 25, chapter 20, M.R.Civ.P., Rule 27(a)
    hearsay declarant, Title 26, chapter 10, M.R.Ev., Rule 804
    justice's court, representation, 25-31-602
    mental examinations, See **CIVIL PROCEDURE, Discovery**, physical and mental examinations
    service of process, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
    statutes of limitations, 27-2-401, 70-19-413
    witness, Title 26, chapter 10, M.R.Ev., Rules 601, 804
Admission to mental health facility, See **Commitment**
Adoption of, children, See **ADOPTION OF CHILDREN, Hard-to-place children**
Advisory council for emotionally disturbed children, membership, 53-21-202
Aftercare, See **Release from detention or commitment**

MENTAL ILLNESS OR INCAPACITY (Continued)

Aged, Center for, Title 53, chapter 21, part 4, See **AGING AND AGED PERSONS, Center for the Aged**
Agency, applicability of laws, 28-10-104, 28-10-704
AIDS testing, consent, 50-16-1003, 50-16-1007
Alcoholic beverages
  intoxication by, exclusion from definition of mental disorder, 53-21-102
  supplying to patient in institution unlawful, 53-1-103
Alternatives to commitment, placement, 53-21-127, 53-21-128, 53-21-133, 53-21-182
Appeal from commitment proceedings, 53-21-114, 53-21-131
Arsonist, written notice of release from state hospital, 53-1-104
Boats, operation prohibited when, 23-2-523
Brain injury, traumatic, 53-6-501, 53-6-502
Center for the Aged, Title 53, chapter 21, part 4, See **AGING AND AGED PERSONS, Center for the Aged**
Children, See **Minors; Parents, spouse, or next of kin of respondent**
Child support, payment past 18 years of age — extension when, 40-5-201
Claims by or against, See **Actions**
Clinics, See **Mental health facilities**
Clothing, provisions regarding, 53-21-115, 53-21-142, 53-21-187
Commitment, Title 53, chapter 21, part 1
  alcoholism, for, Title 53, chapter 24, part 3, See **CHEMICAL DEPENDENCY, Commitment**
  alternative placement, 53-21-127, 53-21-128, 53-21-133, 53-21-139, 53-21-182
  appeals, 53-21-114, 53-21-131
  conditions not grounds for, 53-21-102, 53-21-120
  conservatorship based on, 53-21-141, See also **Conservatorship**
  costs, 53-21-113, 53-21-116, 53-21-120, 53-21-128, 53-21-132, 53-21-133
  counsel, right to, 53-21-115 — 53-21-117, 53-21-119, 53-21-122, 53-21-126, See also **Counsel**
  criminal defendants, Title 46, chapter 14, parts 2 and 3, See **CRIMINAL PROCEDURE, Mental disease or defect of defendant**
  detention pending proceedings
    costs, 53-21-132
    emergency situations, 53-21-129
    nonresidents, 53-21-134
    requirements, generally, 53-21-120, 53-21-124
    voluntary admission, upon, 53-21-111, 53-21-112
  detention to enforce medication order, 53-21-127
  discharge, See **Release from detention or commitment**
  discrimination based on prohibited, 53-21-189
  dismissals, 53-21-122, 53-21-123, 53-21-127, 53-21-128, 53-21-136, 53-21-137
  due process ensured, 53-21-101
  emergency situations, 53-21-129
  evidence, 53-21-115, 53-21-126, 53-21-141, 53-21-190
  examination of respondent, 53-21-123
    commitment, following, 53-21-163
    cost, 53-21-132
    detention pending hearing, during, 53-21-124
    emergency situations, 53-21-129
    evidence in subsequent hearings, inadmissible as, 53-21-190
    legal rights or disability, effect, 53-21-141
    reexamination, 53-21-163
  extension of time of admission, 53-21-128, 53-21-141
  federal facilities, commitment to, 53-21-133
  friend of respondent, See **Friend of respondent**

MENTAL ILLNESS OR INCAPACITY (Continued)
Commitment (Continued)

- guardian's rights, See **Guardians of**
- health care information, disclosure, 50-16-535, 50-16-542
- hearings
  - detention, 53-21-124
  - extension of commitment period, 53-21-128
  - initial, 53-21-122
  - petition, on, 53-21-125, 53-21-126
  - posttrial disposition, 53-21-127
  - respondent rights regarding, 53-21-115, 53-21-116, 53-21-119
  - supplemental, 53-21-136, 53-21-137
- jury trial, 53-21-120, 53-21-125, 53-21-126, 53-21-128
- least restrictive environment, 53-21-101, 53-21-120, 53-21-124, 53-21-127
- legal disability resulting from, 53-21-141; Const., XII, 3
- medical record information, disclosure, 50-16-535, 50-16-542
- minors, 50-16-542, 53-21-112, 53-21-119, 53-21-130
- Montana state hospital, See **Montana State Hospital**
- nonresidents, temporary receipt in state facility, 53-21-134
- notice
  - detention, 53-21-124
  - dismissal after initial hearing, 53-21-123
  - hearings, 53-21-115
  - minors, procedure and rights in event of conflict with parents on voluntary admission, 53-21-112
  - petitions, 53-21-121, 53-21-128
  - previous commitment inadmissible at subsequent hearings, 53-21-190
  - rights, 53-21-112, 53-21-114, 53-21-121, 53-21-168
  - transfer form other institution, 53-21-130
- order, 53-21-127, 53-21-141
  - extension of conditions of release beyond expiration date, 53-21-197, 53-21-198
- out-of-state facility or friend, commitment to, 53-21-133
- parents' rights and responsibilities, See **Parents, spouse, or next of kin of respondent**
- petition, 53-21-121, 53-21-122, 53-21-129
- preexisting commitment, 53-21-141
- presence at hearing or trial, 53-21-115, 53-21-116, 53-21-119, 53-21-126
- professional person, See **Professional persons**
- records, 53-21-103, 53-21-127, 53-21-165, 53-21-166
- rehospitalization, 53-21-195 — 53-21-197
- release, See **Release from detention or commitment**
- representation, right to, 53-21-115 — 53-21-117, 53-21-119, 53-21-122, 53-21-126, See also **Counsel**
- rights of respondent, 53-21-143 — 53-21-148, See also **Rights**
  - notice, 53-21-114, 53-21-122
  - petition, statement on, 53-21-121
  - procedural, 53-21-115 — 53-21-118
  - to be informed of, 53-21-142
  - waiver, 53-21-119, 53-21-126
- spouse's rights and responsibilities, See **Parents, spouse, or next of kin of respondent**
- transfers, 53-21-129, 53-21-130, 53-21-133, 53-21-134
- transportation of respondent, 7-32-2144, 53-21-113, 53-21-120, 53-21-132, 53-21-133
- treatment, consent not required when, 53-21-162
- trial, 53-21-120, 53-21-125, 53-21-126
- venue, 53-21-121, 53-21-126, 53-21-128 — 53-21-130
- voluntary, 53-21-111 — 53-21-113, 53-21-163, 53-21-190
- waiver of rights, 53-21-119, 53-21-126

Community homes for persons with severe disabilities, eligibility when, 53-19-110

MENTAL ILLNESS OR INCAPACITY (Continued)

Community mental health centers, Title 53, chapter 21, part 2, See also **Mental health facilities**
  duties of department of corrections and human services, 53-1-202, 53-21-202
  definitions, 53-21-201, 53-21-212
  funding, 53-21-202, 53-21-203, 53-21-204, 53-21-402
  jail inmates, referral, 53-21-138
  joint review and inspection, 53-21-211 — 53-21-214
  medicaid, 53-6-101, See **PUBLIC ASSISTANCE**
  nursing homes, 53-21-401, 53-21-402
  preference given to, 53-21-101
  protection and advocacy system, 53-21-169
  regional mental health corporations, 53-21-203, 53-21-204
  services — availability, continuation, and fees, 53-21-204 — 53-21-206
Comprehensive plan for development of services, 53-21-202
Concealed weapon, permit to carry — ineligibility, 45-8-321
Confidentiality
  counselor-client privilege and exception, 27-1-1103, 37-23-301
  photographs, 53-21-144
  professional person and patient, communication between, 27-1-1103, 53-21-141
  protection and advocacy system information, 53-21-169
  records, 53-21-166
  social worker-client communications, 27-1-1103, 37-22-401
  trial, 53-21-126
Consent
  A.I.D.S. testing, 50-16-1003, 50-16-1007
  center for the aged, detention, 53-21-413
  minors, required when, 53-21-112, 53-21-119, 53-21-506
  photographs, 53-21-144
  release of information, 37-23-301, 37-27-310
  research procedures, 53-21-147
  treatment, regarding, 53-21-142, 53-21-147, 53-21-148, 53-21-162
Conservatorship, See also **ESTATES AND PROBATE, Conservators and conservatorship**
  appointment proceedings, fact of commitment inadmissible when, 53-21-190
  commitment order, creation by, 53-21-141
  friend of respondent, as, 53-21-102
  records disclosure, consent, 53-21-166
  transfer from other institutions, notice to, 53-21-130
Contracts
  capacity of mentally ill person, 28-2-201 — 28-2-205, 28-2-512, 49-2-403
  employment agreement, termination by incapacity of parties, 39-2-501, 39-2-502
  nursing homes, with, 53-21-402
  regional mental health corporations, with, 53-21-203, 53-21-204
Contract security company license applicants, requirements, 37-60-303
Cooperation between governmental agencies, 53-21-202
Counsel
  alternative placement, request by, 53-21-182
  commitment
    access to patient, facility, and records, 53-21-142
    appointment, 53-21-112, 53-21-116, 53-21-122
    dismissal, notice to, 53-21-123
    examination of respondent, 53-21-123, 53-21-124
    extension of commitment period, notice of petition, 53-21-128
    jury trial, request by, 53-21-125
    minors, rights regarding, 53-21-112, 53-21-119

MENTAL ILLNESS OR INCAPACITY (Continued)
Counsel (Continued)
  commitment (Continued)
    petition, citation in and notice of, 53-21-121, 53-21-195
    professional person, choice by counsel, 53-21-118
    right to counsel, 53-21-104, 53-21-112, 53-21-115 — 53-21-117, 53-21-119, 53-21-126, 53-21-168
    transfers from other institutions, notice to, 53-21-130
    visitation rights, 53-21-142, 53-21-168
  conditional release, 53-21-195, 53-21-198
  mental disabilities board of visitors, employment by, 53-21-104
  privileged communications, 53-21-166, See also **CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS**
  records availability to, 53-21-165
  release, request by, 53-21-182
  research procedures, consultation on consent, 53-21-147
  transfers from other institutions, notice to, 53-21-130
  treatment, duties regarding, 53-21-137, 53-21-148, 53-21-163
Counselor-client privilege and exceptions, 27-1-1103, 37-23-301
County attorney, duties, 53-21-121 — 53-21-125, 53-21-129, 53-21-181, 53-21-195
Court, 53-21-102, See **DISTRICT COURT JURISDICTION, Mentally ill persons**
Crimes
  death penalty, suspension, 46-19-201, 46-19-202
  defendants, Title 46, chapter 14, parts 2 and 3, See **CRIMINAL PROCEDURE, Mental disease or defect of defendant**
  sexual offense when minor a victim, mental health treatment for family members, 53-9-128
  victim, See **CRIMES, Mental disease or defect of victim**
Crisis intervention programs, 53-6-101, 53-21-138, 53-21-139
Damages, liability, 27-1-711
Day care for patients following release, 53-21-185
Death penalty, suspension, 46-19-201, 46-19-202
Detention, See **Commitment**
Developmentally disabled persons, Title 53, chapter 20, See also **DEVELOPMENTALLY DISABLED PERSONS**
  interstate compact on mental health, transfers under, 53-20-131
  transfers to or from developmental disabilities facility, 53-20-127, 53-20-130
Dignity to be ensured, 53-21-101, 53-21-142
Discharge plan, 53-21-162, 53-21-165, 53-21-180, See also **Release from detention or commitment**
Discriminatory practices, prohibited, 53-21-189, See **DISCRIMINATION, Disabled persons; Mentally ill persons**
District court jurisdiction, 53-21-102, See **DISTRICT COURT JURISDICTION, Mentally ill persons**
Drivers' licenses, ineligibility when, 61-5-105
Drugs
  right to be free from, 53-21-115, 53-21-145
  supplying to patients unlawful, 53-1-103
Due process to, 53-21-101, See also **Commitment**
Electors, disqualification, 13-1-111, 13-2-402, 13-13-301; Const., IV, 2
Emergency situations, 53-21-129
  community mental health center services, 53-21-201
  crisis intervention programs, 53-21-139
  defined, 53-21-102
  transfer from local facility when, 53-21-129
  treatment, consent not required, 53-21-162
  use of restraint or isolation when, 53-21-146

MENTAL ILLNESS OR INCAPACITY (Continued)

Emotionally disturbed
  advisory council, membership, 53-21-202
  children, 52-1-202, 52-2-101, See also **Minors**
  mental health corporation board, representation, 53-21-204
  policy concerning support services, 40-7-102
  protection and advocacy system, 53-21-169
Employment contract, termination by incapacity of employer or employee, 39-2-501, 39-2-502
Employment of patients, 53-21-167, 53-21-168
Escape, provisions regarding, 44-2-601, 53-1-102
Evaluation, 53-21-123
Examination, See **Commitment**; **CIVIL PROCEDURE, Discovery**, physical and mental examinations; **CRIMINAL PROCEDURE, Mental disease or defect of defendant**
Experimental research, See **Research**
Facilities, See **Mental health facilities**
Family Policy Act, 40-7-101, 40-7-102
Family, rights and responsibilities, See **Parents, spouse, or next of kin of respondent**
Federal facility, commitment to, 53-21-133
Fingerprinting prohibited, 53-21-143
Firearms, provisions regarding, 45-8-321, 45-8-351
Friend of respondent, commitment rights and responsibilities, Title 53, chapter 21, part 1
  application by, 53-21-182
  appointment, 53-21-122, 53-21-147, 53-21-148
  conditional release, 53-21-195, 53-21-198
  counsel, choice by, 53-21-117
  defined, 53-21-102
  notice to, when, 53-21-104, 53-21-128, 53-21-130, 53-21-137
  out-of-state, custody when, 53-21-133
  petition, citation in, 53-21-121, 53-21-195
  professional person, choice by, 53-21-118
  waiver of rights by, 53-21-119
Funding, 53-21-202, 53-21-203, 53-21-204, 53-21-402
Funds transfers, incapacity of sender, 30-4A-211
Gifts for mental health services, 53-21-202, 53-21-204
Grievances of patients, assistance by board of visitors, 53-21-104, 53-21-142
Guardians of, Title 53, chapter 21, part 1, See also **GUARDIANS AND GUARDIANSHIP, Incapacitated persons**
  center for the aged, admission or detention, 53-21-412, 53-21-413
  consent by, when, 37-23-301, 53-21-112, 53-21-144, 53-21-147, 53-21-162, 53-21-166
  justices' courts, representation, 25-31-602
  notice to, when, 53-21-104, 53-21-130, 53-21-148
  transfers of respondent, 53-21-130
Health care authority, resource management plan to address, 50-4-303, See also **HEALTH CARE, STATEWIDE UNIVERSAL ACCESS**
Health care information, disclosure when, 50-16-535, 50-16-542, See also **HEALTH CARE INFORMATION**
HIV-related testing, consent, 50-16-1003, 50-16-1007
Home arrest, conditions, 46-18-1003
Hospitals
  children's psychiatric, special education for children placed in, 20-7-403, 20-7-419, 20-7-420, 20-7-435, 20-7-436
  inpatient mental health care, 50-5-301
  jail inmates, transfer to, 53-21-138
Incapacity, effect
  conservation district supervisors, 76-15-312

MENTAL ILLNESS OR INCAPACITY (Continued)
Incapacity, effect (Continued)

- definitions, 45-2-101, 52-3-803, 53-24-103, 72-1-103, 72-5-101
- highway patrol officers, cause for disciplinary action, 44-1-612
- licensees, professional or occupational — grounds for action against, Title 37, See specific profession or occupation
- limited partnerships, 35-12-802, 35-12-902, 35-12-1105
- securities dealer, 30-10-201

Independent living, definitions, 53-7-101, 53-7-301, 53-19-102
Information duties of department of corrections and human services, 53-21-202
Inspection of mental health facilities, 53-21-104, 53-21-202, 53-21-211 — 53-21-214
Institutional industries, Title 53, chapter 1, part 3
Institutionalization, See **Commitment**; **Mental health facilities**; **Treatment**
Insurance coverage for, See also **INSURANCE, DISABILITY**, **Mental illness, alcoholism, and drug addiction — coverage for**

- disability or life applications, discrimination prohibited, 33-18-206
- health maintenance organizations, 33-31-102, 33-31-301
- phenylketonuria (PKU), 33-22-131, 33-31-102

Interstate Compact on Mental Health, Title 53, chapter 22, part 1
Investigation — abuse, neglect, or injury, 53-21-169
Isolation, restrictions on use, 53-21-104, 53-21-146, 53-21-165
Jails

- detention prior to commitment, 53-21-120, 53-21-124
- inmates, screening and transfer, 53-21-138, 53-21-139
- intoxicated person in, temporary holding for serious mental illness screening, 53-21-102

Judicial determination, See **Commitment**
Jurisdiction

- district court, defined, 53-21-102, See **DISTRICT COURT JURISDICTION**
- justices' courts, 53-21-121 — 53-21-123

Labor by, See **Work programs**
Least restrictive environment for, 53-21-120, 53-21-124, 53-21-127, 53-21-135, 53-21-142, 53-21-162
Legal counsel, See **Counsel**
Legal disability, 53-21-141; Const., XII, 3, See also **Actions**; **Commitment**; **Rights**
Liability for wrongful acts, 27-1-711
Long-term care insurance, cancellation prohibited, 33-22-1114
Marriage

- dissolution, grounds abolished, 40-4-105
- invalidity, grounds for, 40-1-402

Medical record information, disclosure when, 50-16-535, 50-16-542, See also **HEALTH CARE INFORMATION**
Medical treatment, See also **Treatment**

- drug restrictions, 53-21-115, 53-21-145
- involuntary, 53-21-127
- nursing home location, effect, 53-21-401
- payment liability, 53-21-132
- prescriptions, 53-21-135
- photographs for, 53-21-144
- records, 53-21-165
- right to, 53-21-142

Mental health care services for older Montanans, 52-3-504
Mental health construction plan, 53-21-204
Mental health corporations, 53-21-203, 53-21-204, 53-21-206
Mental health counseling — students, interns, or residents — applicability of professional counseling provisions, 37-23-201
Mental health facilities, See also **HEALTH CARE FACILITIES**

- abuse, neglect, or injury in — investigation, 53-21-169

MENTAL ILLNESS OR INCAPACITY (Continued)
Mental health facilities (Continued)

- admission or commitment, to, See **Commitment**
- certificate of need, 50-5-101, 50-5-301
- community homes for persons with severe disabilities, eligibility when, 53-19-110
- community residential facility, defined as, 76-2-411
- criminal defendants, placement in, 46-14-301, 46-14-302
- definitions, 50-5-101, 50-5-301, 53-21-102
- detention in, 53-21-120
- developmental disabilities residential facility, exclusion, 53-20-102
- discharge of patient, 53-21-142, 53-21-180
- employee as guardian or representative, ineligibility, 53-21-141
- escape or release from confinement, notification, 44-2-601
- evaluation, 53-21-202
- federal aid, 53-21-202
- fire safety, 50-5-103, 50-61-103, 53-21-142, See also **FIRES AND FIRE PROTECTION**
- inspections, 53-21-104, 53-21-202
  - joint inspections with other agencies, 50-8-101, 50-8-102, 50-8-105
- investigation of abuse, neglect, or injury in, 53-21-169
- least restrictive environment, 53-21-101, 53-21-120, 53-21-124, 53-21-142
- licensing of facilities, 49-3-204, 50-5-101, 50-5-201
  - one-step licensing required, 50-8-101, 50-8-102
- mental disabilities board of visitors, employees as members prohibited, 2-15-211
- minors
  - establishment for, 41-3-1104
  - treatment of, immunity and responsibility, 41-1-407
  - youth court commitment, 41-5-523
- Montana state hospital, See **Montana State Hospital**
- negligence in treatment of minors, 41-1-407
- one-step licensing of facilities required, 50-8-101, 50-8-102
- out-of-state facility, transfer to, 53-21-133
- patients' rights, 53-21-142
- photographs of patients, 53-21-144
- protection and advocacy system, designation and authority, 53-21-169
- public assistance recipients, 53-2-610
- records, 53-21-142, 53-21-145, 53-21-165, 53-21-166
- release or escape from confinement, notification, 44-2-601
- reports, 53-21-104
- research, See **Research**
- rights of patients, 53-21-142, See **Rights**
- rulemaking authority, 50-5-103, 50-8-102, 50-8-105, 53-21-202
- safety standards, 50-5-103, 50-61-103, 53-21-142
- staff training, 53-21-161
- standards, 50-5-103, 53-21-202
- sterilization, refusal, Title 50, chapter 5, part 5
- transfers, 53-21-129, 53-21-133, 53-21-138
- treatment of patients, See **Treatment**
- youth correctional facility, release from for commitment to, 52-5-126

Mental health plan, 53-21-202, 53-21-204
Mental health professionals, patient's violent behavior — duty to warn of and liability, 27-1-1101 — 27-1-1103
Mental health programs, See **Community mental health centers**
Mental health regions, 53-21-204
"Mentally ill", defined, 53-21-102
Mental retardation, Title 53, chapter 20, See **DEVELOPMENTALLY DISABLED PERSONS**

MENTAL ILLNESS OR INCAPACITY (Continued)

Minors, care for, See also **MINORS, Medical care**
  adoption of, See **ADOPTION OF CHILDREN, Hard-to-place children**
  community services, 53-21-201, See also **Community mental health centers**
  emergency care, 41-1-402, 41-1-405, 41-1-406
  emotionally disturbed children, 52-1-202, 52-2-101, 53-21-202
  health care information, access denied when, 50-16-542
  married minor, consent for treatment of spouse, 41-1-402
  mental health facilities, 41-1-407, 41-3-1104
  Montana state hospital, commitment prohibited when, 53-21-506
  policy concerning support services, 40-7-102
  psychiatric hospitals, special education for children placed in, 20-7-403, 20-7-419, 20-7-420, 20-7-435, 20-7-436
  residential treatment facilities, See **Residential treatment facilities**
  services, multiagency, 52-2-202, 52-2-211; Title 52, chapter 2, part 3
  sexual offenses when minor a victim, mental health treatment for family members, 53-9-128
  transfer from other institution, notice to interested persons, 53-21-130
  voluntary commitment, 53-21-112
  waiver of rights, 53-21-119
  youth correctional facility
    commitment to, prohibited when, 41-5-523
    release from for commitment to mental health facility, 52-5-126
  youth court, commitment, 41-5-523
Montana State Hospital, Warm Springs facility, Title 53, chapter 21, part 6
  abandonment, discontinuance, or movement of facility — consent of legislature required, 53-1-202
  arsonist, written notice to department of justice of release, 53-1-104
  definitions, 53-1-101, 53-21-102
  detention, in, 53-21-120
  funding, 53-20-214
  institutional industries, Title 53, chapter 1, part 3
  minor's commitment prohibited when, 53-21-506
  patients
    alcoholic beverages or drugs, supplying to — unlawful, 53-1-103
    employment, 53-21-162, 53-21-167, 53-21-168
    escape or removal without permission, assistance unlawful, 53-1-102
    nonresident, 53-21-134
  payment for care, Title 53, chapter 1, part 4
  purpose of facility, 53-21-601
  removal of patient without permission unlawful, 53-1-102
  research programs, participation in, 53-1-206
  role and mission, clarification, 53-21-601
  superintendent
    authority, 53-1-204
    criminal defendants, mental disease or defect
      commitment to custody of, 46-19-202
      psychiatrist or psychologist to examine, designation, 46-14-202
  transfers to or from, 53-21-411, 53-21-412
  transportation to, 7-32-2144
  voluntary commitment to, 53-21-111, 53-21-112
  youth, evaluation when, 41-5-523
Negotiable instruments
  defense of obligor, 30-3-305
  negotiation, effectiveness, 30-3-209
Next of kin, 53-21-102, See **Parents, spouse, or next of kin of respondent**

MENTAL ILLNESS OR INCAPACITY (Continued)

Nonresidents, commitment in Montana, 53-21-134
Nursing homes for, 53-21-401, 53-21-402, See also **NURSING HOMES**
Older Montanans, mental health care services, 52-3-504
Out-of-state, patients or treatment, 53-21-133, 53-21-134
Parent-child legal relationship termination, criteria, 41-3-609
Parents, spouse, or next of kin of respondent
  conditional release from commitment
    court-ordered alternative placement, 53-21-182
    extension of conditions, notice of petition and hearing, 53-21-198
    rehospitalization, petition filed by and citation in, 53-21-195
    support liability, 53-21-186
  custody of respondent when, 53-21-127, 53-21-128, 53-21-133, 53-21-182
  experimental or hazardous treatment, notice to, 53-21-147, 53-21-148
  friend of respondent defined as, 53-21-102
  mental health facility, notice of noncompliance, 53-21-104
  petition, citation in and notice to, 53-21-121, 53-21-195
  transfers to or from other institutions, notice to, 53-21-130, 53-21-133
  voluntary admission of minors, consent, 53-21-112
  waiver of rights of respondent, by, 53-21-119
Partition proceedings, 70-29-113, 70-29-210, 70-29-328
Phenylketonuria (PKU)
  insurance coverage for treatment, 33-22-131, 33-31-102
  testing for, 50-19-211
Photographs, provisions regarding, 53-21-144
Physical restraints, restriction on use, 53-21-104, 53-21-146, 53-21-165
Physicians
  health insurance policies, 33-22-705
  medication orders by, 53-21-135, 53-21-145
  of, 37-3-322, 37-3-323, 37-3-401
  professional person, as, 27-1-1101, 53-21-102, See **Professional persons**
  visitation rights, 53-21-142
Prevention, 53-1-203, 53-21-202, 53-21-203
Privacy, right to, 53-21-126, 53-21-142
Professional counselor-client privilege and exceptions, 27-1-1103, 37-23-301
Professional persons, 53-21-102
  certification, 53-21-102, 53-21-105, 53-21-106
  child abuse and neglect, records and reporting requirements, 41-3-201, 41-3-203 — 41-3-207
  commitment
    alternative placement, petition by, 53-21-182
    appointment, 53-21-122
    choice by respondent, 53-21-115, 53-21-118, 53-21-124
    emergency evaluation by, 53-21-129
    examination by, 53-21-123, 53-21-124, 53-21-129
    extension of time, petition by, 53-21-128
    minors, 41-5-523
    privileged communications, 53-21-141, 53-21-166
    reexamination by, 53-21-163
    release duties, 53-21-181 — 53-21-183
    trial, presence at, 53-21-126
    voluntary, approval of application, 53-21-111
  community corrections boards, appointment to, 53-30-312
  developmentally disabled persons — report of abuse, neglect, or exploitation required, 52-3-811, See **DEVELOPMENTALLY DISABLED PERSONS, Abuse, neglect, or exploitation**

MENTAL ILLNESS OR INCAPACITY (Continued)
Professional persons (Continued)

- domestic abuse offenders, counseling, 45-5-206
- elderly persons — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
- emergency treatment, order for, 53-21-162
- liability, immunity, 27-1-1103
- mental health facility, notice of noncompliance, 53-21-104
- offices, certificate of need requirements — exception, 50-5-301
- privileged communications, 53-21-141, 53-21-166
- qualifications, 53-21-106, 53-21-161
- records availability to, 53-21-165, 53-21-166
- release
  - alternative placement, petition for, 53-21-182
  - conditional release
    - extension of conditions, petition and hearing, 53-21-198
    - recommendations, 53-21-183
    - rehospitalization, petition filed by, 53-21-195
    - revocation based on testimony, 53-21-197
  - discharge plan, 53-21-162, 53-21-165, 53-21-180
  - order by, 53-21-181
  - temporary release for home visit, 53-21-183
- senior citizens — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
- supervision of staff, 53-21-161
- transfers of patients, notice requirements, 53-21-183
- treatment by, See also **Treatment**
  - hearings to prove compliance, notice to, 53-21-137
  - noncompliance by respondent, 53-21-136, 53-21-142
  - orders for, 53-21-135, 53-21-145, 53-21-146, 53-21-162
  - plan development, 53-21-135, 53-21-162
  - records availability to, 53-21-165, 53-21-166
  - reexamination by, 53-21-163
  - visitation rights, 53-21-142
- violent behavior of patients, duty to warn of and liability, 27-1-1101 — 27-1-1103
- youth placement committee, representation on, 41-5-525

Property
- partition proceedings, 70-29-113
- personal possessions, right to keep, 53-21-142
- protective proceedings, See **Conservatorship; ESTATES AND PROBATE, Conservators and conservatorship**
- statute of limitation, 70-19-413

Proprietary security organization license applicants, requirements, 37-60-303
Protection and advocacy system, designation and authority, 53-21-169
Protective proceedings, See **Conservatorship; Guardians of; ESTATES AND PROBATE, Conservators and conservatorship; GUARDIANS AND GUARDIANSHIP, Incapacitated persons**
Psychiatric examination, See **Commitment**, examination of respondent; **CIVIL PROCEDURE, Discovery**, physical and mental examinations; **CRIMINAL PROCEDURE, Mental disease or defect of defendant**
Psychiatric services, inpatient — residential treatment facilities, 53-6-101
Psychology, practice of, 37-17-102, See **PSYCHOLOGY AND PSYCHOLOGISTS**
Public assistance, See **PUBLIC ASSISTANCE**
Public officers, 2-16-501, 2-16-603; Const., VI, 14
Punishment, prohibited when, 53-21-142, 53-21-145, 53-21-146
Purpose of provisions, 53-21-101

MENTAL ILLNESS OR INCAPACITY (Continued)

Records
  access to, 53-21-142
  confidentiality, 53-21-166
  court records, 53-21-103, 53-21-127
  health care information, disclosure, 50-16-535, 50-16-542
  medication, 53-21-145
  mental health facility patient records, 53-21-145, 53-21-165
  protection and advocacy system, discharge planning, 53-21-169
  regional mental health corporation board records, 53-21-204
Regional mental health services, 53-21-111, 53-21-203, 53-21-204, 53-21-206
Relatives, See **Parents, spouse, or next of kin of respondent**
Release from detention or commitment
  alternative placement, to, 53-21-182
  arsonist, written notice of release from state hospital, 53-1-104
  conditional release
    clothing, 53-21-187
    detention pending hearing, 53-21-196
    extension of conditions, 53-21-197, 53-21-198
    outpatient care as requirement, 53-21-183
    rehospitalization, 53-21-195 — 53-21-197
    revocation, 53-21-197
    support following, 53-21-186
  court ordered, 53-21-182
  criminal offenders, provisions inapplicable, 53-21-184
  detention following request, 53-21-111, 53-21-112
  discharge plan, 53-21-162, 53-21-165, 53-21-180
  initial commitment period, following, 53-21-181
  leaving without permission, assistance to patient unlawful, 53-1-102
  minors
    voluntary admission, upon, 53-21-112
    youth court commitment, 41-5-523
  notice to
    county welfare department, 53-21-188
    court, 44-2-601, 53-21-181, 53-21-183
    law enforcement officials, 44-2-601
  records to be sealed, 53-21-103, 53-21-166
  referral, right to, 53-21-181
  required when, 53-21-163, 53-21-181
  restoration of rights upon, 53-21-141, Const., XII, 3
  support of, 53-21-186, 53-21-188
  temporary release for home visit, 53-21-183
  transitional care, 53-21-185
  treatment, refusal to consent, 53-21-142
  voluntary admission, 53-21-111, 53-21-112
  written order, 53-21-181
Reports
  abuse, neglect, or exploitation, 52-3-811, 53-21-169
  emergency detention, 53-21-129
  examination of respondent, 53-21-123, 53-21-126, 53-21-128
  extension of commitment, to accompany request, 53-21-128
  mental disabilities board of visitors, to governor and legislature, 53-21-104
  regional mental health corporation boards, by, 53-21-204
Representation, See **Counsel**
Research
  approval by board of visitors, 53-21-104, 53-21-147

MENTAL ILLNESS OR INCAPACITY (Continued)
Research (Continued)

- community-centered plans, 53-21-202
- cooperation of state hospital and department of corrections and human services, 53-1-206
- records disclosure for, 53-21-166
- right not to be subjected to, 53-21-147

Residential treatment facilities, 50-5-101, See also **Mental health facilities**
- certificate of need, 50-5-101, 50-5-316
- inpatient psychiatric services, 53-6-101
- placement of youth in, 41-5-523

Restraints, restriction on use, 53-21-104, 53-21-146, 53-21-165
Retardation, Title 53, chapter 20, See **DEVELOPMENTALLY DISABLED PERSONS**
Rights
- appeal, 53-21-114
- basic rights while in facility, 53-21-142
- certain treatment procedures, protection from, 53-21-146, 53-21-148
- clothing, 53-21-115, 53-21-142, 53-21-195
- counsel, 53-21-115 — 53-21-117, 53-21-119, 53-21-168, 53-21-195
- cross-examination, 53-21-115, 53-21-195
- dignity, 53-21-101, 53-21-142
- drugs, rights regarding, 53-21-115, 53-21-145, 53-21-195
- evidence, rights regarding, 53-21-115, 53-21-195
- experimental research, protections, 53-21-147
- fingerprinted, not to be, 53-21-143
- hazardous treatment, not to be subjected to, 53-21-148
- legal rights not forfeited by commitment, 53-21-141; Const., XII, 3
- minors, 41-5-523
- notice of hearings, 53-21-115, 53-21-195
- notice of rights, 53-21-114, 53-21-122, 53-21-168
- petitions — statement in, viewing and copying, 53-21-115, 53-21-121, 53-21-195
- photographs, rights regarding, 53-21-144
- posting of, 53-21-168
- presence at hearings, 53-21-115, 53-21-116, 53-21-119, 53-21-195
- privacy, 53-21-142
- privileged communication, 53-21-141
- procedural, 53-21-115 — 53-21-119, 53-21-195
- professional person, choice, 53-21-115, 53-21-118, 53-21-195
- referral to other providers, 53-21-181
- representation, 53-21-115 — 53-21-117, 53-21-119, 53-21-168, 53-21-195
- research, protections, 53-21-147
- restoration of legal rights, 53-21-141; Const., XII, 3
- silence, to remain silent, 53-21-115, 53-21-195
- treatment, 53-21-119, 53-21-142, 53-21-168
- treatment plan, 53-21-162, 53-21-168
- visitation, 53-21-142, 53-21-162
- voluntary admission, upon, 53-21-111
- waiver, 53-21-119

Safety provisions for mental health facilities, 53-21-142
Seclusion, use of, 53-21-104, 53-21-146, 53-21-165
Self-sufficiency trusts, 53-18-101 — 53-18-105
Service of process, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Sheltered workshops, Title 18, chapter 5, part 1; Title 53, chapter 7, part 2
Snowmobiles, operation restrictions, 23-2-632
Social worker-client communications, 27-1-1103, 37-22-401
Spouse, See **Parents, spouse, or next of kin of respondent**
State hospital, 53-21-102, See **Montana State Hospital**

MENTAL ILLNESS OR INCAPACITY (Continued)

State mental health construction plan, 53-21-204
State mental health plan, 53-21-202, 53-21-204
Statute of limitation in actions involving, 27-2-401
Sterilization, refusal, Title 50, chapter 5, part 5
Support of person conditionally released, 53-21-186
Telephone, use provisions generally, 53-21-122, 53-21-123, 53-21-142
Torts, liability, 27-1-711
Training of staff, 53-21-161
Transfers
  center for the aged, to or from, 53-21-411, 53-21-412
  conditional release, upon, 53-21-183
  correctional facility or detention center, pending commitment, 53-21-120
  federal facilities, to, 53-21-133
  funding, among various facilities, 53-20-214
  institutions, from other, 53-21-130
  interstate, 53-21-133, 53-22-105
  jail inmates, 53-21-138
  local facility when space unavailable, 53-21-129
  nonresidents, to state facility, 53-21-134
  out-of-state facility or friend, to, 53-21-133
  outpatient care, to facility for, 53-21-183
Transitional care, 53-21-185
Transportation of respondent or patient, 7-32-2144, 53-21-113, 53-21-120, 53-21-132, 53-21-133
Traumatic brain injury, 53-6-501, 53-6-502
Treatment
  aged persons, in nursing homes, 53-21-401
  alternative placement, 53-21-127, 53-21-128, 53-21-182, 53-21-183, 53-21-198
  center for the aged, function, 53-21-411, See **AGING AND AGED PERSONS, Center for the Aged**
  commitment, See **Commitment**
  compliance and order for, 53-21-136, 53-21-137
  conditional release, 53-21-183
  consent to, refusal — effect, 53-21-142
  court order, 53-21-127, 53-21-128, 53-21-182
  discharge plan, 53-21-180
  evidence, fact of treatment inadmissible in subsequent proceedings, 53-21-190
  extension of time, 53-21-128
  grievances by patient, 53-21-104
  guardian's authority, 72-5-321, 72-5-322
  hazardous procedures, protection from, 53-21-148
  hearings, 53-21-136, 53-21-137
  humane treatment to be ensured, 53-21-101, 53-21-104
  individualized plan, 53-21-104, 53-21-128, 53-21-135, 53-21-162, 53-21-165, 53-21-168, 53-21-197, 53-21-198
  inspection of treatment areas, 53-21-104
  institutional components for, 53-1-202
  insurance coverage for, See also **INSURANCE, DISABILITY, Mental illness, alcoholism, and drug addiction — coverage for**
    health maintenance organizations, 33-31-102, 33-31-301
  isolation, restricted use, 53-21-104, 53-21-146, 53-21-165
  labor as part of, 53-21-167
  least restricted environment, 53-21-127, 53-21-135, 53-21-162
  medical, See **Medical treatment**
  medication, 53-21-127, 53-21-135, 53-21-145

MENTAL ILLNESS OR INCAPACITY (Continued)
Treatment (Continued)

noncompliance, 53-21-136, 53-21-137, 53-21-142
nursing homes, in, 53-21-401
order for, 53-21-127, 53-21-182, 53-21-198
out-of-state, 53-21-133, 53-21-134
records, 53-21-142, 53-21-165
reexamination, 53-21-163
restraints, use restricted, 53-21-104, 53-21-146, 53-21-165
review by
  board of visitors, 53-21-104
  professional person, 53-21-162
restrictions, 53-21-142
right to, 53-21-119, 53-21-142, 53-21-168, See also **Rights**
screening, serious mental illness, 53-21-138
senior citizens, in nursing homes, 53-21-401
temporary release for home visit, 53-21-183
transfers, See **Transfers**
treatment plan, 53-21-104, 53-21-128, 53-21-135, 53-21-162, 53-21-165, 53-21-168, 53-21-197, 53-21-198
utilization reviews, conduct, 33-32-201
voluntary admission, See **Commitment**
waiver of rights, 53-21-119
work program as part of, 53-21-167
Trusts, self-sufficiency, 53-18-101 — 53-18-105
Violent behavior of patient, duty of professional person to warn of and liability, 27-1-1101 — 27-1-1103
Visitation rights, 53-21-142, 53-21-162
Vocational rehabilitation, Title 53, chapter 7, part 1
Voluntary admission, See **Commitment**
Voters, disqualification, 13-1-111, 13-2-402, 13-13-301; Const., IV, 2
Waiver of rights, 53-21-119, 53-21-126
Weapons, prohibited when, 45-8-321, 45-8-351
Willful acts, liability, 27-1-711
Witnesses, Title 26, chapter 10, M.R.Ev., Rules 601, 804
Work programs, 53-21-167
  institutional industries, Title 53, chapter 1, part 3
  public employees' retirement system, applicability, 19-3-403
  sheltered workshops, Title 18, chapter 5, part 1; Title 53, chapter 7, part 2
  statement of rules, provision to patient, 53-21-168
  treatment plan, as part of, 53-21-162
  unemployment insurance coverage exclusions, 39-51-204
  vocational rehabilitation, Title 53, chapter 7, part 1

METROPOLITAN POLICE LAW, Title 7, chapter 32, parts 2 and 41
  See **PEACE OFFICERS, Auxiliary officers; Reserve officers; POLICE**, generally

METROPOLITAN SANITARY AND/OR STORM SEWER DISTRICTS, Title 7, chapter 13, part 1
  See **SEWAGE DISPOSAL AND SEWER SYSTEMS**

MIAMI PROJECT AND MIAMI PROJECT ADVISORY COUNCIL, Title 50, chapter 19, part 3
  See **PREGNANCY**

MICROBUSINESS DEVELOPMENT
Advisory council, 17-6-403, 17-6-411
Audits, 17-6-407

MICROBUSINESS DEVELOPMENT (Continued)

Certified microbusiness development corporations, 17-6-402, 17-6-403, 17-6-406 — 17-6-408, 17-6-411
Citation of Microbusiness Development Act, 17-6-401
Community lead organization, 17-6-403, 17-6-411
Definitions, 17-6-403
Fees, 17-6-407, 17-6-409
Grants, donations, or public or private income, 17-6-407, 17-6-409
Legislative findings, 17-6-402
Loans
  development loans, 17-6-402, 17-6-403, 17-6-406, 17-6-407
  guarantee fund, 17-6-407
  interest, 17-6-406, 17-6-407, 17-6-409
  microbusiness loans, 17-6-403, 17-6-406, 17-6-407
  revolving loan funds, 17-6-403, 17-6-406, 17-6-407, 17-6-411
Microbusiness Development Act, Title 17, chapter 6, part 4
Microbusiness development corporations, 17-6-403, 17-6-406, 17-6-408
Microbusiness development loan account, 17-6-406, 17-6-407
Microbusiness finance program, 17-6-403, 17-6-406, 17-6-407, 17-6-411
Microbusiness finance program administrative account, 17-6-407, 17-6-409
Multicounty service regions, 17-6-406 — 17-6-408
Purpose of provisions, 17-6-402
Qualified microbusiness, 17-6-403
Rules, 17-6-406, 17-6-407, 17-6-411
Services to microbusinesses, 17-6-406 — 17-6-408

MIDWIVES
Actions against, 37-27-310
Administration of provisions, 37-27-105
Administrative fines, 37-27-213
Affidavits, 37-27-105, 37-27-203, 37-27-205, 37-27-325
Alcohol abuse, 37-27-213
Alternative Health Care Board, 2-15-1840; Title 37, chapter 26, part 2
Apprentice, 37-27-103, 37-27-205
Apprenticeship requirements, 37-27-105, 37-27-201
Birth certificates
  filing, 37-27-321, 50-15-201
  primary birth attendants
    continuous care, verification, 37-27-203
    signing as, 37-27-201
Cardiopulmonary resuscitation certification required, 37-27-201
Citation of Direct-Entry Midwifery Licensing Act, 37-27-101
Client screening
  eligibility requirements, 37-27-105, 37-27-312
  procedures, 37-27-312
Clinical requirements, 37-27-105, 37-27-201
Communicable diseases, recognition, 37-27-201
Complaints, 37-27-105
Confidentiality, 37-27-310, 37-27-320
Consent
  disclosure of information, 37-27-310
  informed consent, 37-27-311
    forms, 37-27-105
Contempt, 37-27-325
Continuing education, 37-27-105

MIDWIVES (Continued)

Continuous care
  defined, 37-27-103
  primary birth attendant, supporting documentation, 37-27-203
CPR certification required, 37-27-201
Death certificates, fetal — certification, 50-15-403
Direct-entry midwife, 37-27-103, 37-27-212
Direct-Entry Midwifery Licensing Act, Title 37, chapter 27
Disciplinary standards, 37-27-105
Disclosure of information, 37-27-310, 37-27-320
Drugs, prescription — dispensation or administration prohibited and exceptions, 37-3-103, 37-27-201, 37-27-302
Educational requirements, 37-27-105, 37-27-201, 37-27-203
Emergency situations, recognition and management, 37-27-201
Enforcement, 37-27-105, 37-27-325
Ethical standards, 37-27-105
Exemptions from provisions, 37-27-104
Fees, 37-27-105, 37-27-203, 37-27-205, 37-27-210, 37-27-216
Fetal deaths, reporting, 46-4-114
Fines, 37-27-213, 37-27-325
Fraud, 37-27-213
Health care providers' liability in emergency situations, 27-1-734, 37-27-311
Informed consent, 37-27-311
  forms, 37-27-105
Injunction, 37-27-212, 37-27-325
Investigations, 37-27-105
Licenses and licensing, Title 37, chapter 27, part 2
  applications, 37-27-105, 37-27-210
  apprentice, 37-27-205
  denial, suspension, or revocation, 37-27-213, 37-27-320
  examinations, 37-27-105, 37-27-202, 37-27-203, 37-27-205, 37-27-210
    exemption when, 37-27-203
  fees, 37-27-105, 37-27-203, 37-27-205, 37-27-210, 37-27-216
  fraud, 37-27-213
  issuance, 37-27-105, 37-27-210
  oral interview, 37-27-203
  practice without, unlawful, 37-27-301, 37-27-325
  provisional, 37-27-105, 37-27-205
  qualifications, 37-27-201
  reciprocity, 37-27-105, 37-27-216
  refusal to renew, 37-27-213, 37-27-320
  renewal, 37-27-105, 37-27-205, 37-27-210, 37-27-213, 37-27-320
  required, 37-27-301, 37-27-325
  validity, period of, 37-27-205
Medicine, practice of — applicability of licensing provisions, 37-3-103, 37-27-104
Minors, 37-27-310
Misrepresentation, 37-27-213
Naturopathic physicians, provisional license to work with, 37-27-205
Negligence, 37-27-213
Nurse-midwifery
  birth certificates, filing, 50-15-201
  consultations by clients, 37-27-315
  death certificates, fetal — certification, 50-15-403
  direct-entry midwifery
    apprentice license, 37-27-205
    effect of provisions, 37-27-104

MIDWIVES (Continued)
Nurse-midwifery (Continued)
  direct-entry midwifery (Continued)
    license examinations, preparation, 37-27-202
    licensing of nurse-midwife as, 37-27-203
  educational requirements, 37-8-202
  emergency care of patients by nurse, liability, 27-1-734, 37-27-311
  medicine, practice of — applicability of licensing provisions, 37-3-103
  practice of, certification, 37-8-409
  prescription drugs, authority, 37-2-101, 37-7-401, 37-8-202
Operative procedures prohibited and exceptions, 37-27-303
Parents' rights regarding birth of baby, 37-27-102, 37-27-111
Paternity acknowledgment process at birth, 50-15-210
Penalties for violations, 37-27-325
Physician consultations by clients, 37-27-311, 37-27-315
Practice of direct-entry midwifery
  defined, 37-27-103
  license required, 37-27-301, 37-27-325, See **Licenses and licensing**
Prescription drugs, dispensation or administration prohibited and exceptions, 37-3-103, 37-27-201, 37-27-302
Primary birth attendants
  experience as, requirements, 37-27-201
  supporting documentation requirements, 37-27-105, 37-27-203
Privileged communications, 37-27-310
Provisional licenses, 37-27-105, 37-27-205, See also **Licenses and licensing**
Purpose of provisions, 37-27-102
Reciprocity, 37-27-105, 37-27-216
Records, 37-27-203
Reports, 37-27-320
  forms, 37-27-105
Reprimands, 37-27-213
Rules, 37-27-105, 37-27-203, 37-27-213, 37-27-325
Surgical procedures prohibited and exceptions, 37-27-303
Title, use restrictions, 37-27-212
Unprofessional conduct, 37-27-213
  alternative health care board, members, 2-15-1840
Violations, 37-27-213
  fines, 37-27-213, 37-27-325
  injunction to restrain, 37-27-212, 37-27-325
  license, practice without, 37-27-301
  penalties, 37-27-325
Witnesses, 37-27-105

MILITARY AFFAIRS
  See also EMERGENCIES AND EMERGENCY POWERS; VETERANS
Adjutant general
  appointment, 2-15-1201; Const., VI, 8
  assistants, 2-15-1203
  confirmation by senate, Const., VI, 8
  department head, as, 2-15-1201
  national guard license plates, certificate for — issuance, 61-3-332
  qualifications, 2-15-1201, 2-15-1202
  removal, Const., VI, 8
  salary, 2-15-1202
  term, Const., VI, 8
  vacancy, Const., VI, 8
Alcoholic beverage licenses for enlisted men's or officers' clubs, 16-4-110, 16-4-201, 16-4-209

MILITARY AFFAIRS (Continued)

Ammunition, blank — applicability of laws, 50-37-102
Archives, 10-1-102, 22-3-221
Armories, 10-1-108, 10-1-109, 10-1-612, 10-1-703
  fire protection and safety regulations, 50-61-103, See **FIRES AND FIRE PROTECTION**, generally
  university system, facilities, 20-25-302
Arrest, militia exempt when, 46-6-102
Artifacts, acquisition by historical society, 22-3-107
Bases, See **Reservations**
Boiler and steam engine operators' licenses
  experience, effect on licensing, 50-74-305
  renewal, effect, 50-74-313
Boxing matches or exhibitions, regulatory authority, 23-3-404, See **BOXING AND WRESTLING**, generally
Call of military forces, Const., VI, 13
Civil defense, See **EMERGENCIES AND EMERGENCY POWERS**
Civil disorder, prohibited activities and exceptions, 45-8-107 — 45-8-109
Civilian control of military forces, Const., II, 32
Commander-in-chief, governor as, 10-3-305; Const., VI, 13
Commanding officer, See **Officers**
Community service advisory council, representation, 90-14-104
Concealed weapon, permit to carry — ineligibility when, 45-8-321
Courts
  civil authority, trial by, 10-1-408
  confinement of convicted persons, 10-1-405
  fees — witness, reporter, and civil officer, 10-1-406, 10-1-407
  generally, 10-1-401
  jurisdiction, 10-1-401, 10-1-403, 10-1-408
  persons subject to, 10-1-402
  process, execution, 10-1-404
Courts-martial, 10-1-205, 10-1-403, 10-1-408, See **Courts**
Criminal offenses
  assault or disturbance of military personnel, 10-1-612
  employment, depriving member of, 10-1-603, 10-1-615
  enlistment, dissuasion, 10-1-603, 10-1-615
  right-of-way, obstruction, 10-1-602
  sale or detention of military property, 10-1-613, 10-1-615
  trespass upon military property, 10-1-612
  uniform, unlawful wearing, 10-1-614, 10-1-615
Definitions, 10-1-101, 10-1-803
Department of, See also **EXECUTIVE BRANCH**, generally
  adjutant general, See **Adjutant general**
  civil defense duties, 10-3-102, 10-3-502, See **EMERGENCIES AND EMERGENCY POWERS, Disaster and Emergency Services, Division of**
  community service corps program, duties, 90-14-103, 90-14-105
  creation, 2-15-1201
  defined, 10-1-101, 10-3-103
  disaster and emergency services, division of, See **EMERGENCIES AND EMERGENCY POWERS**
  emergency expenditure programs, rulemaking authority, 10-3-311
  enlisted members, enlistment periods prescribed when, 10-1-301
  federal funding for facilities, construction, 18-2-102, 18-2-103
  head, See **Adjutant general**
  interstate mutual aid compact, rulemaking authority, 10-3-208
  officers' uniforms and equipment prescribed by, 10-1-207

MILITARY AFFAIRS (Continued)
Department of (Continued)
  powers and duties generally, 10-1-102
  real property, lease, 10-1-109
  supervision, Const., VI, 8
  veterans' affairs, board of, See **VETERANS**
  veterans' cemetery
    establishment, 10-2-601
    rules, 10-2-602
Dissolution of marriage, residence requirements, 40-4-104
Drivers' licenses, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Drivers' licenses**
  military personnel, for, 61-5-104
  selective service system, information to, 61-5-126
Drought Advisory Committee, representation, 2-15-3308
Elections while in service, See **ELECTIONS, Military personnel**
Encampments
  leave of absence to public employees, 10-1-604
  officers, command authority, 10-1-611
Enlisted members, See also **Militia**
  extension bonuses for national guard, See **National guard**
  oath of office, 10-1-302
  pay and allowances, 10-1-502
  reenlistment bonuses for national guard, See **National guard**
  retirement, 10-1-304
  roster, 10-1-102
  term of enlistment, 10-1-301
    emergency extension, 10-1-303
Execution, exemption, 25-13-613
Federal laws, applicability, 10-1-102, 10-1-104, 10-1-105, 10-1-201, 10-1-202, 10-1-301 — 10-1-303, 10-1-401, 10-1-701 — 10-1-703
Federal military personnel, See **United States military personnel**
Firefighters
  exemption from duty, 7-33-2314, 7-33-2315
  retirement, service credits applicable, See **FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM, Service credits**
Fireworks use, applicability of laws, 50-37-102
Forts, See **Reservations**
Game wardens' retirement, service credits applicable, See **GAME WARDENS' RETIREMENT SYSTEM, Service credits**
Governor, See **GOVERNOR, Military affairs**
Highway patrol officers' retirement, service credits applicable, See **HIGHWAY PATROL OFFICERS' RETIREMENT SYSTEM, Service credits**
Highways and streets, military use, 10-1-602, 10-3-107
Home guard, See also **Militia**
  armories and equipment, 10-1-703
  composition, 10-1-701
  federal aid, requisitions for, 10-1-703
  militia, as part of, 10-1-103
  organization, 10-1-701, 10-1-702
  pay and allowances, 10-1-704
  rules governing, 10-1-702
Importation of armed persons, 45-8-106; Const., II, 33
Judges' retirement, service credits applicable, See **JUDGES' RETIREMENT SYSTEM, Service credits**
Jurisdiction over reservations, 2-1-204

MILITARY AFFAIRS (Continued)

Leave for military service, public employees, 10-1-604, See also **VETERANS, Reemployment**
License plates for members, 61-3-332, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**
  solicitation of sales when, 10-2-603
Machine gun manufacture, criminal provisions not to interfere, 45-8-307
Marriage of military personnel
  dissolution of marriage, residence requirements, 40-4-104
  serological test requirements, 40-1-205
Martial rule, proclamation, 10-1-106, 10-3-102; Const., VI, 13
Memorabilia, storage, 10-1-102, 22-3-221
Militia
  acupuncturists, license renewal exemption during service, 37-13-306
  city-county consolidated governments, commission members — service, 7-3-1215
  classes, 10-1-103
  concealed weapons, exemption from provisions, 45-8-317
  defined, 10-1-101; Const., VI, 13
  departmental duties, 10-1-102
  enlistment, See also **Enlisted members**
    dissuasion unlawful, 10-1-603, 10-1-615
    emergency extension, 10-1-303
  federal law governing, 10-1-104
  fishing licenses, eligibility, 87-2-102
  governor's authority, 10-1-105
  headquarters, 10-1-102
  hunting licenses, eligibility, 87-2-102
  insurance producers, temporary license — designee for, 33-17-216, 33-17-217
  leave of absence to public employees, 10-1-604
  legal defense for members, 10-1-601
  mayors, powers, 7-4-4303, 7-4-4304
  officers, See **Officers**
  pay and allowances, 10-1-501 — 10-1-503
  property, 10-1-107
  public accountants, licensing without examination when, 37-50-304
  veterinarians, licensing
    exemption when, 37-18-104
    renewal, automatic when, 37-18-307
National guard, See also **Militia**
  adjutant general appointed from when, 2-15-1202
  armories, 10-1-108
  community service corps and volunteer projects, 90-14-105
  concealed weapons, exempt from criminal provisions, 45-8-317
  courts, convening authority and punishments — applicability of laws, 10-1-401
  defined, 10-1-101, 10-1-103
  enlisted personnel, retirement, 10-1-304
  federal law governing, 10-1-104
  firearm, sawed-off — possession, 45-8-340
  license plates for, 61-3-332, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**
  militia, as part of, 10-1-103
  officers, retirement, 10-1-203
  reenlistment or extension bonuses
    administration, 10-1-806
    amount, 10-1-804
    citation of national guard reenlistment or extension act of 1981, 10-1-801

MILITARY AFFAIRS (Continued)
National guard (Continued)
- reenlistment or extension bonuses (Continued)
    - definitions, 10-1-803
    - eligibility, 10-1-805, 10-1-806
    - entitlement, 10-1-805
    - purpose of provisions, 10-1-802
    - records, 10-1-806
    - rules, 10-1-806
- retirement, 10-1-203, 10-1-304
- tactical incidents
    - assistance, 10-3-705
    - notification, 10-3-704

National Guard Reenlistment or Extension Act of 1981, Title 10, chapter 1, part 8, See **National guard**
Officers, See also **Militia**
- absence, 10-1-205
- abuse of authority, See **QUO WARRANTO, WRIT OF**
- allowances
    - incidental expenses, 10-1-503
    - uniform, 10-1-207
- appointment, 10-1-201
- arrest authority, 10-1-611, 10-1-612
- civil office, vacating, 10-1-208
- command authority, 10-1-602, 10-1-611
- commissions or warrants vacated when, 10-1-205, 10-1-206
- defined, 10-1-101
- discharge, 10-1-205, 10-1-206
- examination, board of, 10-1-201, 10-1-205, 10-1-206
- fitness examinations, 10-1-206
- home guard, assigned to, 10-1-701
- legislature, not prohibited as member, Const., V, 9
- medical, performance of duties, 37-3-103
- notarial acts by, 1-5-607, 1-5-609
- oath of office, 10-1-202
    - enlistment oath, administration, 10-1-302
- optometry, practice of — applicability of provisions, 37-10-102
- pay and allowances, 10-1-502
- public officer may be, 10-1-208
- qualifications, 10-1-201
    - review, 10-1-206
- quo warranto, See **QUO WARRANTO, WRIT OF**
- resignation, 10-1-202, 10-1-204, 10-1-205
- retirement, 10-1-203, 10-1-206
- roster, 10-1-102
- statewide classification and pay plans, 2-18-103
- term of appointment, 10-1-201
- usurping or unlawfully holding office, stay of proceedings not permitted on appeal, Title 25, chapter 21, M.R.App.P., Rule 7, See also **QUO WARRANTO, WRIT OF**

Parental rights, relinquishment, 40-6-135
Pay and allowances
- enlisted members, 10-1-502
- extension bonuses for national guard, See **National guard**
- federal funds, 10-1-502
- general fund, payment from, 10-1-501
- home guard, 10-1-704
- incidental expenses, 10-1-503
- officers, 10-1-502

MILITARY AFFAIRS (Continued)
Pay and allowances (Continued)

- reenlistment bonuses for national guard, See **National guard**
- retirement systems, service credits applicability
  - firefighters, See **FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM, Service credits**
  - game wardens, See **GAME WARDENS' RETIREMENT SYSTEM, Service credits**
  - highway patrol officers, See **HIGHWAY PATROL OFFICERS' RETIREMENT SYSTEM, Service credits**
  - judges, See **JUDGES' RETIREMENT SYSTEM, Service credits**
  - police officers, See **POLICE OFFICERS' RETIREMENT SYSTEM, LOCAL FUNDS, Service credits; POLICE OFFICERS' RETIREMENT SYSTEM, STATE PLAN, Service credits**
  - public employees, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM, Employees; Service credits**
  - sheriffs, See **SHERIFFS' RETIREMENT SYSTEM, Membership; Service credits**
  - teachers, See **TEACHERS' RETIREMENT SYSTEM, Membership; Service credits**

Pearl Harbor Memorial Committee, Title 5, chapter 17, part 3
Police officers
- exemption from duty, 7-32-4115
- retirement, service credits applicable, See **POLICE OFFICERS' RETIREMENT SYSTEM, LOCAL FUNDS, Service credits; POLICE OFFICERS' RETIREMENT SYSTEM, STATE PLAN, Service credits**

Polygraph examiners, license renewals following military service, 37-62-204
Power of attorney, statutory — authority, 72-31-201, 72-31-234
Preferences to military personnel, Const., II, 35
Prisoners of war, See **WAR**
Property
- armories or facilities, for, 10-1-108, 10-1-109
  - home guard, use, 10-1-703
- public property, as, 10-1-107
- sale or detention, unlawful, 10-1-613, 10-1-615
- taxes, suspension for persons in active service, 10-1-606

Public employees
- military service, 2-18-604, 2-18-614, 2-18-621, 10-1-604, 39-31-404, See also **VETERANS, Reemployment**
- retirement system, applicability, See **PUBLIC EMPLOYEES' RETIREMENT SYSTEM, Employees; Service credits**

Quartering of soldiers in homes, Const., II, 32
Railroads on reservations, 69-14-538
Records, storage of war records, 10-1-102, 22-3-221
Recruiting, 10-1-102
Reenlistment in national guard, See **National guard**
Reservations
- alcoholic beverage licenses, 16-4-110, 16-4-201, 16-4-209
- jurisdiction, 2-1-204
- railroads upon, 69-14-538

Reserve armed forces members, license plates, 61-3-332, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**
Right to bear arms, 1-1-224, 7-1-111, 45-8-107 — 45-8-109; Const., II, 12
Salary, See **Pay and allowances**
Salutes, blank ammunition — applicability of laws, 50-37-102
Sheriffs' retirement system, applicability, See **SHERIFFS' RETIREMENT SYSTEM, Membership; Service credits**
Small claims court, military personnel as defendant in, 25-34-201

MILITARY AFFAIRS (Continued)

State lands
  leases, 77-6-103
  recreational use, closures when, 77-1-804
State military agencies, electronic information — public access, 2-6-110
Taxation
  income tax
    deferment, 15-30-313
    retirement benefits, 15-30-101
    salary exemption, 15-30-116, 15-30-201, 15-30-202
    stay of enforcement against, 15-30-314
  property tax, suspension, 10-1-606
Teachers' retirement system, applicability, See **TEACHERS' RETIREMENT SYSTEM, Membership; Service credits**
Training programs, leave of absence to public employees, 10-1-604, See also **VETERANS, Reemployment**
Transportation of personnel, free or reduced rates, 69-11-208
Unemployment insurance coverage programs for, state cooperation in administration, 39-51-501
Unfair labor practice complaints, tolling of statute of limitation during service, 39-31-404
Uniform
  allowance, 10-1-207
  wearing unlawfully, 10-1-614, 10-1-615
United States military personnel
  burial, See **VETERANS, Burial**
  discharge certificates, recording, 7-4-2614
  educational assistance to dependents, 20-25-421
  elections while in service, See **ELECTIONS, Military personnel**
  inheritance tax exemption, 72-16-319
  marriage
    dissolution of marriage, residence requirements, 40-4-104
    serological test requirements, 40-1-205
  professional and occupational license fees and taxes, suspension when, 10-1-605, 37-62-204
  property taxes, suspension, 10-1-606
  public employees, leave of absence for training programs, 10-1-604, See also **VETERANS, Reemployment**
  public officer may hold military office, 10-1-208
  university system students, as, See **UNIVERSITY SYSTEM, Students**
University system
  facilities, 20-25-302
  military instruction, 20-25-506
Veterans, See **VETERANS**
Voters, See **ELECTIONS, Military personnel**
War records, storage, 10-1-102, 22-3-221
Wrestling matches or exhibitions, regulatory authority, 23-3-404, See **BOXING AND WRESTLING**, generally

MILK CONTROL, BOARD OF, 2-15-1802; Title 81, chapter 23
  See **DAIRIES AND DAIRY PRODUCTS**

MINES AND GEOLOGY, BUREAU OF
  See **MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY**

MINES AND MINING
Abandonment, 82-4-203, 82-4-303
  coal mine, 50-73-208, 50-73-306

MINES AND MINING (Continued)
Abandonment (Continued)

- location of abandoned claim, See **Location of claim**
- metal mines, reclamation upon, 82-4-303, 82-4-332, 82-4-335 — 82-4-337, 82-4-339, 82-4-341
- strip and underground mines
  - new operations near abandoned operations, 82-4-227
  - reclamation upon, 82-4-203, 82-4-231
- trusts for unlocatable owners, Title 82, chapter 1, part 3

Actions
- claim, pertaining to, See **Claim**
- environmental emergency, abatement costs — recovery, 82-4-357
- lease, to compel release, 82-1-202
- metal mines exploration licenses or operating permits, review of board decisions granting or denying, 82-4-349, 82-4-350
- opencut mining violations, injunction or recovery of penalties, 82-4-441
- right-of-way, to obtain, 82-2-203, See **Rights-of-way**
- statute of limitation, 27-2-303, 82-4-349

Assaying, See **Samples of ore**
Building codes, inapplicability, 50-60-102
Building stone, net proceeds tax — exemption, 15-6-131, 15-23-502
Bureau of Mines and Geology, See **MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY**
Burial site protection, Title 22, chapter 3, part 8
"Buyer in the ordinary course of business" defined, 30-1-201
Capital companies, development through, 90-8-104
Centennial acre
- donations of land, title to rights, 2-89-205
- royalty interests, disposition of proceeds, 2-89-206

Child labor prohibited when, 41-2-106, 41-2-107
Citations
- the landowner notification act, 82-2-301
- the Montana strip and underground mine reclamation act, 82-4-201
- the opencut mining act, 82-4-401
- the strip and underground mine siting act, 82-4-101

Cities and towns, annexation restricted when, 7-2-4503, 7-2-4608
Claim
- abandonment, 82-2-102, 82-2-103, See also **Location of claim**, abandoned claim
- actions, 70-19-201
  - adverse claims under acts of congress, 70-19-203
  - affidavit, 70-19-204
  - inspection or survey of claim, 70-19-204, 70-28-113
  - parties, 70-1-311, 70-19-202
- forcible detainer, 70-27-103
- forcible entry, 70-27-102
- location, See **Location of claim**
- partnership, See **Partnerships**
- taxation, 15-23-501
- unlawful detainer, 70-27-108

Coal Board, 2-15-1821, 90-6-203
- chairman, meetings, compensation, and facilities, 90-6-204
- impact grants and loans, award authority, 90-6-205 — 90-6-209
- local impact account, order for disbursements, 90-6-202
- powers generally, 90-6-205

Coal generally
- agricultural lands, mining on, 82-4-232

MINES AND MINING (Continued)
Coal generally (Continued)

- carriers
  - pipeline, Title 69, chapter 13
  - unlawful confiscation by, 69-11-108
- city inspection, weighing, and measuring, 7-21-4203
- county leases, 7-8-2233
- defined, 1-4-110, 82-1-111
- eminent domain, 70-30-102, 70-30-106
- gasification facilities, siting, Title 75, chapter 20
- gross proceeds tax, Title 15, chapter 23, part 7
- leases, See **Leases; STATE LANDS, Coal leases**
- new coal production incentive tax credit, Title 15, chapter 35, part 2
- permits
  - hoisting, 50-73-302
  - operation, See **Strip and underground mining, coal and uranium — operation**
  - preparatory work and siting permit, See **Location of mine site**
- railroads, unlawful confiscation by, 69-11-108
- reclamation, See **Location of mine site; Strip and underground mining, coal and uranium — operation**; **RECLAMATION, Reclamation and development grants program**
- severance tax, Title 15, chapter 35, part 1
- severance tax bonds, Title 17, chapter 5, part 7
- state lands, in, See **STATE LANDS, Coal leases; Minerals**
- strip mining, Title 82, chapter 4, part 2
- trust funds, See **COAL TRUST FUNDS**

Coal impact areas
- coal area highway construction, 15-35-108, 90-6-201, 90-6-202, 90-6-210
- coal area highway improvement account, 90-6-202
- funding, 15-35-108, 90-6-202, 90-6-207
- grants and loans to, 90-6-205 — 90-6-209, 90-6-212
- local impact account, 15-35-108, 90-6-202, 90-6-207, 90-6-212
- purpose of provisions, 90-6-201
- schools, funding, 15-35-108, 90-6-201

Coal invoices and bills
- dealer's duties, 82-3-202
- enforcement, 82-3-203, 82-3-204
- inspection, 82-3-203
- penalties, 82-3-205
- producer's duties, 82-3-201

Coal mine safety
- abandonment of mine, 50-73-208, 50-73-306
- accidents, 50-73-104, 50-73-105, 50-73-306 — 50-73-308, 50-73-402, 50-73-410, 50-73-411
- airways, 50-73-304, 50-73-305
- boundary lines, workings near, 50-73-210
- citation of Montana coal mining code, 50-73-101
- closure of mine or cessation of work when, 50-73-408, 50-73-412, 50-73-413, 50-73-417
- danger signals, 50-73-305
- death or injuries
  - closure of mine when likely, 50-73-412, 50-73-417
  - investigation, 50-73-410, 50-73-411
  - miners' organizations, notice to, 50-73-308
  - notice to department of labor and industry, 50-73-306
  - record of injuries, 50-73-307
- definitions, 50-73-102
- entry prohibited when, 50-73-305, 50-73-412, 50-73-413, 50-73-417
- expeditious action required, 50-73-418

MINES AND MINING (Continued)
Coal mine safety (Continued)

- findings by department of labor and industry, requirements, 50-73-414
- firedamp in mines, 50-73-305, 50-73-306
- fire, taking into underground mine, 50-73-305
- gas in mine, 50-73-102, 50-73-305, 50-73-306
- hearings, 50-73-417
- hoisting engines, restrictions, 50-73-302, 50-73-305, 50-73-306
- injunction, 50-73-104
- inspections and investigations, 50-73-402
  - access to mine, 50-73-402, 50-73-412, 50-73-413
  - death or injury, when, 50-73-410, 50-73-411
  - employee's representative and mine owner, may accompany inspector, 50-73-404
  - frequency, 50-73-406
  - means for, provision, 50-73-405
  - notice, 50-73-403
  - refusal, 50-73-104, 50-73-105
  - statement of conditions, 50-73-409
- inspectors, 50-73-401
- internal combustion engines prohibited underground, 50-73-303
- maps, 50-73-201
  - copies to department of labor and industry, 50-73-205, 50-73-206
  - failure to provide, 50-73-209
  - seams, of, 50-73-204
  - surface markings, 50-73-202
  - underground working, of, 50-73-203
  - updating, 50-73-206 — 50-73-209
- noncompliance, remedies, 50-73-412, 50-73-413, 50-73-417
- notice requirements, 50-73-414, 50-73-415
- orders, requirements, 50-73-104, 50-73-414 — 50-73-416
- production reports, 50-73-301
- reports, refusal to make, 50-73-104, 50-73-105
- rulemaking authority, 50-73-103
  - boundary lines, workings near, 50-73-210
  - fire, taking into underground mine, 50-73-305
  - gassy mines, 50-73-102
  - hoisting, 50-73-302
- short title, 50-73-101
- statement of conditions, 50-73-409
- surveys, 50-73-206 — 50-73-208
- violations, 50-73-104, 50-73-105, 50-73-305
  - closure of mine or cessation of work, 50-73-408, 50-73-412, 50-73-413
  - inspection on complaint, 50-73-403
  - notice, 50-73-407, 50-73-408, 50-73-413

College of, See **MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY**
Commencement of operation, notice to
- county clerk and recorder and commissioner of labor and industry, 39-3-502
- labor and industry, department of, 50-72-101

Concealed weapons, exemption from criminal provisions, 45-8-317
Consignments of ore
- payment time, 82-2-421, 82-2-422
- statement when ore from leased mine, 82-2-423 — 82-2-426

Core samples
- coal or uranium mine permit application, results furnished with, 82-4-222
- prospecting permit, information to be included in application, 82-4-226

Counties
- coal leases, 7-8-2233

MINES AND MINING (Continued)
Counties (Continued)

leases, 7-8-2233, 7-8-2507, 7-8-2514
royalty interests, 7-8-2305, 7-8-2306, 7-8-2510, 7-8-2514, 15-17-326, 27-2-210, 70-19-421
tax-deed lands, royalty interests, 7-8-2305, 7-8-2306, 15-17-326, 27-2-210, 70-19-421
Development projects, 90-1-102, 90-8-104
Easement for taking minerals, 70-17-101, 70-17-102
Eminent domain, 70-30-102, 70-30-104 — 70-30-106, 82-4-239
open-pit mining, for, 82-2-221 — 82-2-224
Employees
fellow servant liability, 39-2-704
hours of employment, 39-4-101, 39-4-103, 39-4-104, 39-4-107
labor organizations, See **COLLECTIVE BARGAINING**
liens for labor, Title 71, chapter 3, part 3
metal mine permits, included in, 82-4-331
minors as, labor prohibited, 41-2-106, 41-2-107
safety and health, See **Safety and health protection**
taxes, labor to pay not required, 15-37-101
wage assignment for benefit of creditors, preferred claim, 31-2-205
wage protections, 39-3-407; Title 39, chapter 3, part 5
Environmental contingency account, use, 75-1-1101, 82-4-357
Environmental impact statement, 82-4-231
Environmental protection, See **Reclamation and restoration**
Equipment and machinery
dinkey engines, 50-74-104, See **BOILERS AND STEAM ENGINES, Traction engines**
taxation, See **TAXATION, MINERALS**, specific tax
Exploration
county-owned land, 7-8-2507, 7-8-2514
license, metal mines, 49-3-204, 82-4-306, 82-4-331, 82-4-332, 82-4-334, 82-4-360, See also **Prospectors**
personal representative's authority, 72-3-613
principal and income determinations, 72-5-427, 72-34-404, 72-34-410
reservation of mineral rights or rights of entry
state lands, 77-2-304
tax exemption, 15-6-201
trust property, lease of, 72-34-322
unsuitable land designation not to prohibit, 82-4-228
Explosives, 82-4-222, 82-4-231
use, 37-72-101, 82-4-356
Financing of operations, fraud, 30-14-701 — 30-14-704
Fires and fire hazards, 50-73-305, 82-4-231
"Fixtures" defined, 70-15-104
Forcible entry and detainer, 70-27-102, 70-27-103
Foreign substances, unlawful to introduce into ore, 82-2-403
Gold dust, See also **Metal mines**
execution, to satisfy, 25-13-501
taxation, assessment, 15-8-301
Gross proceeds tax, Title 15, chapter 23, parts 7 and 8
Hard rock mining, Title 82, chapter 4, part 3
Hard-Rock Mining Impact Board, 2-15-1822, 90-6-302, See also **Metal mines impact areas**
chairman, meetings, facilities, and funding, 90-6-303
funding, 90-6-303, 90-6-305
impact plan, 82-4-335, 90-6-307, 90-6-311
large-scale mineral developer status, notice to, 82-4-339
powers and duties, generally, 90-6-305
tax reallocation, determination of jurisdictional revenue disparity, 90-6-403

MINES AND MINING (Continued)

Hazardous wastes
  coordination of provisions, 75-10-404
  underground storage tank provisions, nonapplicability, 75-10-403
Health protection, Title 50, chapter 72; Title 39, chapters 72 and 73
Highway sanding or snow removal, use of mineral slag prohibited when, 60-2-241
Hoisting engine operators, hours of employment, 39-4-101
Human skeletal remains, protection, Title 22, chapter 3, part 8
Impact areas, See **Coal impact areas; Metal mines impact areas**
Irrigation districts, noninterference and right-of-way, 85-7-1932
Joint tenancy, 70-1-311, 70-19-202
Landowner
  approval or operations, 82-2-303, 82-4-434
  eminent domain, subject to, 70-30-102, 70-30-104, 70-30-105
  lateral and subjacent support, right to, 70-16-203
  mineral rights, 70-16-101, 70-16-104, 70-30-105
  notification to, 82-2-302, 82-2-303
    ascertaining ownership, 82-2-302
    citation of the landowner notification act, 82-2-301
    exemptions, 82-2-304, 82-2-305
    immunity of owner, 82-2-306
    violations, 82-2-306
  principal and income determinations, 72-5-427, 72-34-404, 72-34-410
  rights of ownership, 70-16-101, 70-16-104
  strip and underground mining, See **Strip and underground mining, coal and uranium — operation**, surface owner
  tort immunity, 82-2-306
Landscape architects, Title 37, chapter 66
Leases
  conservator's power, 72-5-427
  consignments of ore from leased mine, 82-2-423 — 82-2-426
  county-owned land, 7-8-2507, 7-8-2514
  forfeiture, cancellation, or expiration — effect, 82-1-201
  landowner, immunity from liability when, 82-2-306
  metal mines, successor operator, 82-4-340
  notice requirements, exemption, 82-2-305
  opencut mining, reclamation plan, 82-4-403
  personal representative's authority, 72-3-613
  principal and income determinations, 72-5-427, 72-34-404, 72-34-410, 72-34-412
  public land, acquired interest, 82-10-204
  release, 82-1-201 — 82-1-203
  state lands, on, See **STATE LANDS, Coal leases; Leases; Mining leases; Nonmetallic mineral leases**
  strip and underground mining, coal and uranium — successor operator, 82-4-238
  transactions, goods — nonapplicability, 30-2A-103
  trust property, power of trustee, 72-34-322
  trusts for unlocatable owners, Title 82, chapter 1, part 3
License taxes, Title 15, chapter 37
Liens
  coal gross proceeds tax, 15-23-704
  labor, for, Title 71, chapter 3, part 3
  metal mines
    gross proceeds tax, 15-23-806
    license tax, 15-37-107
  micaceous mineral mines license tax, 15-37-206
  net proceeds tax, for, 15-23-504, 15-23-508

MINES AND MINING (Continued)

- **Liens** (Continued)
  - partnerships, 35-13-205, 35-13-207, 35-13-208
  - reclamation by board of land commissioners, costs as lien, 82-4-239
- **Local government powers**, 7-1-111
- **Location of claim**, 82-2-101
  - abandoned claim
    - amended location, 82-2-114
    - evidence, 82-2-103
    - presumption, 82-2-102
    - relocation, 82-2-105, 82-2-106
  - adverse claims, 70-19-203
  - adverse possession, effect, 70-19-305
  - amendment, 82-2-107, 82-2-114
    - manner, 82-2-107, 82-2-114
    - rights acquired, effect upon, 82-2-109
    - rights of third persons not affected, 82-2-110, 82-2-114
  - applicability of laws, 82-2-101
  - certificate of location, 7-4-2613, 7-4-2619, 7-4-2631, 82-2-102, 82-2-107, 82-2-112
  - defect, 82-2-107, 82-2-112, 82-2-114
  - discovery work, 82-2-104, 82-2-105
  - evidence of location, 82-2-102, 82-2-113
  - false filings, 82-2-115
  - federal laws, compliance, 82-2-101, 82-2-103
  - fee, 7-4-2631
  - indexes, 7-4-2619, 7-4-2631
  - marking, 81-4-218, 81-4-219, 82-2-101
  - millsites, 7-4-2631, 82-2-104
  - national forest, in, 81-4-218, 81-4-219
  - notice, 7-4-2613, 7-4-2619, 7-4-2631, 82-2-101, 82-2-106, 82-2-112
  - patent, united states — effect, 82-2-113
  - preexisting locations, 82-2-111
  - recording, 7-4-2613, 7-4-2619, 7-4-2631, 82-2-102
  - relocation
    - abandonment, upon, 82-2-102, 82-2-105
    - owner, by, 82-2-108
    - rights acquired, effect upon, 82-2-109
    - rights of relocator, 82-2-106
    - rights of third persons not affected, 82-2-110, 82-2-114
  - validation of existing claims, 82-2-111
  - violations, 82-2-115
  - working
    - affidavit of performance, 7-4-2613, 7-4-2619, 7-4-2631, 82-2-103, 82-2-115
    - index, 7-4-2619, 7-4-2631
    - manner, 82-2-103
    - relocation to avoid, prohibited, 82-2-108
- **Location of mine site**
  - administrative authority, 82-4-102, 82-4-111, 82-4-112
  - administrative procedure, 82-4-130
  - applicability of laws, 82-4-104, 82-4-122, 82-4-125, 82-4-126
  - approval or disapproval, 82-4-102
  - bond, 82-4-123, 82-4-128, 82-4-129
  - citation of the strip and underground mine siting act, 82-4-101
  - contempt when, 82-4-142
  - definitions, 82-4-103
  - educational impact statements required when, 20-1-208, 20-1-209
  - enforcement, 82-4-112, 82-4-129, 82-4-141, 82-4-142

MINES AND MINING (Continued)
Location of mine site (Continued)

- facility siting, Title 75, chapter 20
- fees, 82-4-113, 82-4-123
- hearings, procedure, 82-4-111, 82-4-130
- information applicable to mining permit application, 82-4-126
- injunction, 82-4-141
- jurisdiction of district court, 82-4-141, 82-4-142
- mandamus to enforce, 82-4-142
- noncompliance, 82-4-125, 82-4-129, 82-4-141
- notice, noncompliance, 82-4-129
- penalties, 82-4-129, 82-4-141
- permit, 82-4-121
  - application, 82-4-122
  - approval, 82-4-102, 82-4-122, 82-4-127
  - bond, 82-4-123, 82-4-128, 82-4-129
  - consideration period, 82-4-122
  - denial, 82-4-125, 82-4-129
  - discrimination in issuance prohibited, 49-3-204
  - effect, 82-4-124, 82-4-127
  - effective period, 82-4-124
  - fee, 82-4-123
  - renewal, 82-4-124
  - revocation or suspension, 82-4-102, 82-4-111, 82-4-129
  - rules, 82-4-112
  - termination, 82-4-128
- policy of state, 82-4-102
- preexisting mines, 82-4-104
- purpose of provisions, 82-4-102
- reclamation plan
  - approval or disapproval, 82-4-102, 82-4-122
  - bond, 82-4-123, 82-4-129
  - noncompliance, effect, 82-4-129
  - permit application, to accompany, 82-4-122
- review, 82-4-102
- rulemaking authority, 82-4-102, 82-4-111, 82-4-112
- state land coal leases, compliance, 77-3-306
- violations generally, 82-4-141

Lung disease, Title 50, chapter 72; Title 39, chapters 72 and 73
Machinery and equipment

- dinkey engines, 50-74-104, See **BOILERS AND STEAM ENGINES**, **Traction engines**
- taxation, See **TAXATION, MINERALS**, specific tax

Megalandfill siting, solid waste exclusion, 75-10-903
Metal mines

- abandonment, presumption, 82-4-303
- administrative authority, 82-4-321, 82-4-342
- administrative procedure, 82-4-353
- air pollution, 82-4-336, 82-4-351
- amendment to permits, 82-4-303, 82-4-337, 82-4-342, 82-4-351
- annual report, 82-4-339, 82-4-362
- applicability of laws, 82-4-351, 82-4-355
- blasting, complaints related to, 82-4-356
- bonds
  - amount, adjustment, 82-4-338
  - exploration license, 82-4-331, 82-4-332, 82-4-360
  - forfeiture, 82-4-305, 82-4-331, 82-4-335, 82-4-341, 82-4-357, 82-4-360, 82-4-362
  - hearings, 82-4-338, 82-4-362

MINES AND MINING (Continued)
Metal mines (Continued)
- bonds (Continued)
  - operating permit, 82-4-335, 82-4-337, 82-4-338, 82-4-360
  - small miners, 82-4-305
  - successor operator, 82-4-340
- confidentiality of application information, 82-4-306 — 82-4-308
- cooperation with other agencies, 82-4-323
- deficiency issues, 82-4-337
- definitions, 82-4-303, 82-4-353
- dredge or placer mining, 82-4-303, 82-4-305
- enforcement, 82-4-354, 82-4-361
- environmental emergency, abatement, 82-4-357
- exemptions
  - federal lands, operations on, 82-4-309
  - geological phenomena, 82-4-334
  - minerals which are, 82-4-303
  - preexisting mines, mills, or reprocessing operation, 82-4-304
  - sample collectors, 82-4-310
  - small miners, 82-4-305
- exploration license, 49-3-204, 82-4-306, 82-4-331, 82-4-332, 82-4-334, 82-4-349, 82-4-350, 82-4-355, 82-4-360
- explosives, complaints related to use of, 82-4-356
- federal funding, 82-4-323
- fees, 82-4-332, 82-4-335, 82-4-339, 82-4-362
- funding, 82-4-311, 82-4-323
- gross proceeds tax, Title 15, chapter 23, part 8
- hard-rock mining and reclamation account, 82-4-311
- hard-rock mining impact board, See **Hard-Rock Mining Impact Board**
- impact areas, See **Metal mines impact areas**
- injunction, 82-4-361
- inspections, 82-4-337, 82-4-341
- investigations, 82-4-322, 82-4-355, 82-4-356
- joinder of parties, 82-4-353
- jurisdiction of district court, 82-4-341, 82-4-354, 82-4-357, 82-4-361
- large-scale mineral developers, 82-4-335, 82-4-339, 90-6-302, 90-6-307, 90-6-309, 90-6-311
- leases for mining, See **STATE LANDS, Mining leases**
- legislative intent, 82-4-301
- license tax, Title 15, chapter 37, part 1
- mandamus to enforce, 82-4-354
- maps, 82-4-303, 82-4-305, 82-4-332, 82-4-335
- opencut mining laws, exemption, 82-4-404
- operating permit, 82-4-303, 82-4-305, 82-4-306, 82-4-335, 82-4-337, 82-4-338, 82-4-342, 82-4-349 — 82-4-351, 82-4-353, 82-4-355, 82-4-360, See also **Metal mines impact areas**, impact plan
- penalties, 82-4-305, 82-4-306, 82-4-331, 82-4-335, 82-4-360, 82-4-361
- permits
  - cancellation, 82-4-341
  - confidentiality of application information, 82-4-306
  - denial, 82-4-341, 82-4-349 — 82-4-352
  - discrimination in issuance prohibited, 49-3-204
  - exploration license, 49-3-204, 82-4-306, 82-4-331, 82-4-332, 82-4-334, 82-4-349, 82-4-350, 82-4-355, 82-4-360
  - hearing on revocation, 82-4-362
  - operating permit, 82-4-303, 82-4-305, 82-4-306, 82-4-335, 82-4-337, 82-4-338, 82-4-342, 82-4-349 — 82-4-351, 82-4-353, 82-4-355, 82-4-360, See also **Metal mines impact areas**, impact plan
  - reapplication, 82-4-352

MINES AND MINING (Continued)
Metal mines (Continued)
    permits (Continued)
        reinstatement, 82-4-362
        revocation, 82-4-362
        small miners, 82-4-305, 82-4-306
        suspension, 82-4-335, 82-4-355, 82-4-362
        transfer, 82-4-340
    preexisting mines, mills, or reprocessing operation, 82-4-304, 82-4-307
    private action, 82-4-354, 82-4-355
    purpose of provisions, 82-4-302
    reclamation
        annual report, 82-4-339, 82-4-362
        bond, 82-4-305, 82-4-331, 82-4-332, 82-4-335
        default, effect, 82-4-305, 82-4-332
        deficiencies, 82-4-305, 82-4-341
        expenses, 82-4-305, 82-4-341, 82-4-360
        funding, 82-4-311, 82-4-323
        grants program, Title 90, chapter 2, part 11
        inspections, 82-4-341
        investigations, 82-4-322
        noncompliance, 82-4-305, 82-4-331, 82-4-335, 82-4-341, 82-4-362
        placer or dredge mining, 82-4-305
        plan, 82-4-303, 82-4-335 — 82-4-337
            new plan, reapplication with, 82-4-352
            noncompliance, 82-4-351
        postponement, 82-4-332
        research, 82-4-322
        small miner's operations, 82-4-305
        successor operator, 82-4-340
        time limit, 82-4-332, 82-4-336, 82-4-341
        vegetative cover, standards, 82-4-336
    rulemaking authority, 82-4-321, 82-4-335, 82-4-337, 82-4-342
    small miners, 82-4-303
        bond, 82-4-305, 82-4-360
        confidentiality of information obtained from, 82-4-306
        cyanide ore-processing reagents, use, 82-4-303, 82-4-305, 82-4-335
        exemption, 82-4-305, 82-4-361
        exploration license, 82-4-360
        impact provisions, exclusion, 90-6-302
        noncompliance with provisions, 82-4-305
        operations permit, 82-4-305, 82-4-335, 82-4-360
        placer or dredge mining, 82-4-303, 82-4-305
        reclamation by, 82-4-305
        violation, 82-4-361
    successor operator, 82-4-340
    supervisors, 82-4-321
    taxation, Title 15, chapter 23, part 8; Title 15, chapter 37, part 1
    violations, 82-4-361, 82-4-362
    water
        disturbed land, 82-4-303
        monitoring program, 82-4-355
        permits, 82-4-335, 82-4-355
        pollution, avoidance, 82-4-335, 82-4-336
        reclamation, 82-4-302, 82-4-311, 82-4-336, 82-4-351
        supply, damages to, 82-4-355
        unit of surface-mined area, 82-4-303

MINES AND MINING (Continued)

Metal mines impact areas, See also **Hard-Rock Mining Impact Board**
  administration, 90-6-305
  county hard-rock mine trust reserve account, 7-6-2225, 15-37-117, 90-6-331
  declaration of necessity, 90-6-301
  definitions, 90-6-302
  grants and loans to local government units upon
    cessation or reduction of operations, 7-6-2225, 90-6-304 — 90-6-306
    commencement of operations, 90-6-304 — 90-6-307
  hard-rock mining impact account, 90-6-304, 90-6-305, 90-6-307
  hard-rock mining impact trust account, 15-37-117, 90-6-303, 90-6-304, 90-6-331
  impact plan, 82-4-335, 90-6-307, 90-6-308, 90-6-311, 90-6-404
  license tax, funding, 15-37-117
  local government facility impact bonds, 90-6-307, 90-6-310
  metal mines tax reserve account, 7-6-2226
  metal mines tax reserve fund, 20-9-231
  payments to local government units, 90-6-307, 90-6-323
  purpose of provisions, 90-6-301
  rulemaking authority, 90-6-305
  small miner's exclusion, 90-6-302
  tax prepayment and credit, 15-6-152, 15-16-201, 90-6-307, 90-6-309
  tax reallocation
    definitions, 90-6-402
    employee surveys, 90-6-405
    increased valuation, exemption and reallocation, 90-6-403 — 90-6-405
    jurisdictional revenue disparity, 90-6-402, 90-6-403
    necessity and purpose of provisions, 90-6-401
Micaceous minerals, license tax, Title 15, chapter 37, part 2
Millsites, location, 7-4-2631, 82-2-104
Mine shafts or tunnels
  failure to cover or fence, 45-8-113
  hours of employment in, 39-4-103
  revegetation not required, 82-4-231, 82-4-233
  rights-of-way, 82-2-202, See **Rights-of-way**
  sealing at end of operations, 82-4-231
Motor carrier provisions, exemption when, 69-12-102
Net proceeds tax, Title 15, chapter 23, part 5
Occupational disease, Title 50, chapter 72; Title 39, chapter 72
Opencut mining, See also **Strip mining**
  administrative authority, 82-4-421, 82-4-422
  administrative procedure, 82-4-427
  annual report, 82-4-434
  bonds, 82-4-431 — 82-4-434
    forfeiture, 82-4-422, 82-4-426, 82-4-433
    governmental agencies, exclusion from provisions, 82-4-405
  citation of the opencut mining act, 82-4-401
  damages, 82-4-434
  definitions, 82-4-403
  enforcement, 82-4-421, 82-4-425
  exemptions, 82-4-404 — 82-4-406
  fees, 82-4-405, 82-4-424, 82-4-432
  funding, 82-4-424
  hearings, 82-4-427, 82-4-441
  injunction, 82-4-434, 82-4-441
  inspections, 82-4-422, 82-4-425
  investigatory authority, 82-4-422

MINES AND MINING (Continued)
Opencut mining (Continued)

- notice, 82-4-403
  - reclamation plan, extension of consideration period, 82-4-434
  - violations, 82-4-441
- opencut mining and reclamation account, 82-4-424
- penalties, 82-4-424, 82-4-441
- policy of state, 82-4-402
- purpose of provisions, 82-4-402
- reclamation, 82-4-402, 82-4-403, 82-4-432 — 82-4-434
  - bond, 82-4-426, 82-4-432, 82-4-433
  - funding, 82-4-424
  - grants program, Title 90, chapter 2, part 11
- reclamation contract, 82-4-403, 82-4-431, 82-4-432, 82-4-434
  - enforcement, 82-4-423
  - power to contract, 82-4-422, 82-4-423
  - violations, 82-4-441
- restrictions, 82-4-431
- rulemaking authority, 82-4-422, 82-4-431, 82-4-441
- sand and gravel zoning regulations, 76-1-113, 76-2-209, 82-4-431, 82-4-432
- site information form, 82-4-431
- strip mining, as, 82-4-203
- violations, 82-4-441
- water
  - pollution, avoidance, 82-4-434
  - reclamation, 82-4-403, 82-4-424, 82-4-431, 82-4-434
- zoning regulations applicable, when, 76-1-113, 76-2-209, 82-4-431, 82-4-432

Open pit, safety precautions, 82-4-336
Partnerships

- contracts, when binding, 35-13-201
- existence, determination, 35-13-101
- formation, 35-13-102
- liens, 35-13-205, 35-13-207, 35-13-208
- majority interest governs, 35-13-202
- oil or gas unit operation does not create, 82-11-216
- profits and losses, 35-13-204
- property, 35-13-203, 35-13-205
- sale of interest, 35-13-206 — 35-13-208

Permits

- discrimination in issuance prohibited, 49-3-204
- hard rock mining, See **Metal mines**
- metal mines, See **Metal mines**
- mine-site location, See **Location of mine site**
- opencut mines, reclamation contract, See **Opencut mining**
- prospecting, 82-4-226
- strip and underground mines, See **Location of mine site**; **Strip and underground mining, coal and uranium — operation**

Petroleum storage tank releases, cleanup, Title 75, chapter 11, part 3
Plumbing installations, exemption from licensing provision, 37-69-102, 50-60-503
Plutonium, radiation control, Title 75, chapter 3
Principal and income determinations, 72-5-427, 72-34-404, 72-34-410, 72-34-412
Prospectors, See also **STATE LANDS, Prospecting permits**

- coal and uranium, permit, 82-4-226
- notice to landowners, 82-2-302, 82-2-305
- permit, 82-4-226

Public lands, mining on

- acquired interests, lease, 82-10-204

MINES AND MINING (Continued)
Public lands, mining on (Continued)

- approval, 82-2-303
- condemnation of property, compensation, 82-2-223
- discovery pits, exemption from landowner notification requirements, 82-2-304
- location of claim, See **Location of claim**
- metal mines, exemption from provisions, 82-4-309
- opencut mines, exemption from provisions, 82-4-406
- state lands, specifically, See **STATE LANDS, Minerals; Mining leases; Prospecting permits**

Real estate broker and salesman provisions, exemption from, 37-51-103
Reclamation and restoration

- district weed board, requirements, 7-14-2131, 7-22-2152
- eminent domain for, 70-30-102, 82-4-239
- funds, handling, 82-4-113, 82-4-241, 82-4-311
- grants program, Title 90, chapter 2, part 11
- hard-rock mines, Title 82, chapter 4, part 3
- hard-rock mining and reclamation account, 82-4-311
- landowner, plan included in notice to, 82-2-303
- metal mines, Title 82, chapter 4, part 3
- opencut mining, Title 82, chapter 4, part 4
- required, Const., IX, 2
- siting, Title 82, chapter 4, part 1
- strip and underground mining, Title 82, chapter 4, parts 1 and 2

Research and development

- coal and uranium mines, 82-4-112, 82-4-205
- commerce, department of — by, 90-1-102
- funding, 82-4-311
- grants program, Title 90, chapter 2, part 11
- land commissioners, board of — by, 82-4-322
- principal and income determinations, 72-5-427, 72-34-404, 72-34-410
- projects, Title 90, chapter 3
- reclamation, 82-4-205, 82-4-322
- state lands, department of — by, 82-4-112, 82-4-205, 82-4-311
- state planning, 90-1-102
- strip and underground mines, 82-4-112, 82-4-205

Reservation of mineral rights

- forest lands, owner — exception, 76-13-102, 76-13-302
- state lands, 77-2-304
- tax exemption, 15-6-201

Resource indemnity trust and ground water assessment tax, Title 15, chapter 38
Restoration or revegetation of land, See **Reclamation and restoration**
Rights of entry to explore

- state lands, 77-2-304
- tax exemption, 15-6-201

Rights-of-way

- appeal from assessment, 82-2-209 — 82-2-211
- appeal to supreme court, 82-2-212
- commencement, 82-2-208
- commissioners
  - appointment, 82-2-205, 82-2-207
  - assessment by, 82-2-206, 82-2-209
- complaint, 82-2-203, 82-2-204
- costs, 82-2-210, 82-2-211
- damages, 82-2-205 — 82-2-208
- irrigation district, of, 85-7-1932
- judgment, 82-2-205

MINES AND MINING (Continued)
Rights-of-way (Continued)

- jurisdiction in district court, 82-2-203
- owner's right, 82-2-201
- road or ditch, for, 82-2-202
- show cause hearing, 82-2-204, 82-2-205
- summons, 82-2-204

Rock hounds, exemption from metal mine reclamation provisions, 82-4-310
Royalty interests, 82-10-101, 82-10-102

- centennial acre, disposition of proceeds, 2-89-206
- counties, tax-deed lands, 7-8-2305, 7-8-2306, 15-17-326, 27-2-210, 70-19-421
- county-owned land, 7-8-2514
- principal and income determinations, 72-5-427, 72-34-404, 72-34-410, 72-34-412
- subdivision of land creating, 76-4-1222
- trusts for unlocatable owners, Title 82, chapter 1, part 3

Royalties, federal — distribution, 20-9-343
Safety and health protection, See also **Coal mine safety**

- accidents, 50-72-103, 50-72-104, 50-72-202
- applicability of laws, 50-72-101
- danger likely to cause death or serious injury, 50-72-204
- danger unlikely to cause death or serious injury, 50-72-205
- definitions, 50-72-102
- expeditious action required, 50-72-210
- fellow servant liability, 39-2-704
- findings, requirements, 50-72-206
- hearings, 50-72-209
- injunction, 50-72-103
- inspections and investigations, 39-1-103, 50-72-202
  - access to mine, 50-72-203 — 50-72-205
  - inspectors, 50-72-102, 50-72-201, 50-72-203
  - obstruction or refusal, 50-72-103, 50-72-104
- landowner, immunity from liability, 82-2-306
- metal mines
  - explosives, complaints concerning use, 82-4-356
  - reclamation, purpose, 82-4-302
- notice or orders, requirements, 50-72-102, 50-72-206 — 50-72-208
- occupational disease benefits, Title 39, chapter 72
- open pit, precautions, 82-4-336
- silicosis prevention, 39-73-102
- strip and underground mines, new operations near abandoned operations, 82-4-227
- violations, 50-72-103, 50-72-104, 50-72-205

Sales transactions, applicability of laws, 30-1-201
Samples of minerals

- preservation, 22-3-107
- reclamation provisions, exemption, 82-4-310

Samples of ore, 82-2-401 — 82-2-403

- consignments, 82-2-421 — 82-2-426
- historical society, preservation by, 22-3-107
- hours of work for employees, 39-4-103
- state, to be done within, 15-37-104
- umpire assayers, 82-2-404, 82-2-405
- violations, 82-2-403, 82-2-406

School state equalization aid, federal royalties — distribution, 20-9-343
Science development projects, Title 90, chapter 3
Securities

- registration, exclusion by notification, 30-10-203
- transactions, exemption, 30-10-103, 30-10-105

MINES AND MINING (Continued)

Security interests, 30-9-103, 30-9-401 — 30-9-403
Silicosis, Title 50, chapter 72; Title 39, chapters 72 and 73
Slag, use for highway sanding or snow removal prohibited when, 60-2-241
Small miners, See **Metal mines**
Smelters
- consignments, 82-2-421 — 82-2-426
- hours of employment in, 39-4-103, 39-4-107
- inspections, 39-1-103
- minors' employment prohibited when, 41-2-106, 41-2-107
- samples of ore, 82-2-401 — 82-2-403

Solid waste disposal exclusions, nonapplicability, 75-10-214
State lands, See **Public lands, mining on**; **STATE LANDS**, specific lease; **Minerals**
State mine inspector, cooperation by bureau of mines and geology, 20-25-212
Strip and underground mining, coal and uranium — operation
- abatement order, 82-4-251
- administrative authority, 82-4-202, 82-4-204, 82-4-205
- administrative procedure, 82-4-206, 82-4-251
- area mining required where, 82-4-232
- area, modification, 82-4-225, 82-4-227
- boundaries
  - change, 82-4-225, 82-4-227
  - confinement within, 82-4-231
- cessation order, 82-4-251
- citation of the strip and underground mine reclamation act, 82-4-201
- coal conservation plan required, 82-4-202, 82-4-222
- coal impact grants, eligibility, 90-6-207
- coal preparation and preparation plants, 82-4-203
- contempt when, 82-4-252
- definitions, 82-4-203
- enforcement, 82-4-202, 82-4-205, 82-4-251, 82-4-252, 82-4-254
- environmental impact statement, 82-4-231
- fees
  - disposition, 82-4-241
  - mining permit, 82-4-223, 82-4-225
  - prospecting permit, 82-4-226
- funding, 82-4-222, 82-4-241, 82-4-242
- highwall reduction, 82-4-231, 82-4-232
- injunction, 82-4-254
- inspections, 82-4-205, 82-4-221, 82-4-227, 82-4-231, 82-4-232, 82-4-235, 82-4-239, 82-4-251
- investigatory authority, 82-4-205, 82-4-237, 82-4-251, 82-4-253
- jurisdiction of district court, 82-4-252, 82-4-254
- land designation as unsuitable for coal mining, 82-4-228
- legislative intent, 82-4-202
- location of site, See **Location of mine site**
- mandamus to enforce, 82-4-252
- maps, 82-4-222, 82-4-225, 82-4-226, 82-4-237
- noncompliance, 82-4-204, 82-4-205, 82-4-251, 82-4-254
- permits
  - application review procedures, 82-4-231
  - approval, 82-4-227, 82-4-231
  - denial, 82-4-227, 82-4-231, 82-4-234, 82-4-251
  - discrimination in issuance prohibited, 49-3-204
  - effect, 82-4-128
  - environmental impact statement, 82-4-231
  - issuance, 82-4-205, 82-4-223, 82-4-231

MINES AND MINING (Continued)
Strip and underground mining, coal and uranium... (Continued)
  permits (Continued)
    mining permit, 82-4-221
      application, 82-4-222, 82-4-231
      area, modification, 82-4-225, 82-4-227
      bond, 82-4-223
      effective period, 82-4-221, 82-4-225
      fee, 82-4-223, 82-4-225
      revision, 82-4-221, 82-4-227, 82-4-231
    noncompliance, effect, 82-4-227, 82-4-251
    prospecting permit, 82-4-226
    reclamation plan required, 82-4-202
    revocation, 82-4-204, 82-4-251
    rulemaking authority, 82-4-205
    siting permits, applicability, 82-4-125, 82-4-127, 82-4-128, See also **Location of mine site**
    successor operator, 82-4-238
    suspension, 82-4-129, 82-4-204, 82-4-205, 82-4-251, 82-4-253
  policy of state, 82-4-202
  preexisting operations, 82-4-202, 82-4-227
  preparatory work, See **Location of mine site**
  private action, 82-4-252, 82-4-253
  prospecting and prospecting permit, 82-4-203, 82-4-226
  reclamation, 82-4-231, 82-4-232
    board of land commissioners, by, 82-4-239, 82-4-240
    bond, 82-4-223
      forfeiture, 82-4-222, 82-4-240, 82-4-241, 82-4-251
      prospecting permit, on, 82-4-226
      release, 82-4-232, 82-4-235, 82-4-236
      required, 82-4-202, 82-4-223
      supplemental, 82-4-225
    commencement, 82-4-234
    contour of land, restoration of original, 82-4-232
    cooperation of governmental agencies, 82-4-239
    eminent domain for, 70-30-102, 82-4-239
    grants program, Title 90, chapter 2, part 11
    highwall reduction, 82-4-231, 82-4-232
    postponement, 82-4-226
    reports, 82-4-235, 82-4-237
    successor operator, 82-4-238
    time period, 82-4-226, 82-4-232
    topsoil, preservation and restoration, 82-4-231, 82-4-232
    vegetation, planting, 82-4-222, 82-4-231 — 82-4-233, 82-4-235 — 82-4-237
    waste disposal, 82-4-222, 82-4-231
  reclamation plan, 82-4-202, 82-4-205, 82-4-221, 82-4-222, 82-4-226, 82-4-231, 82-4-232, 82-4-237
  reports, 82-4-226, 82-4-235, 82-4-237
  rulemaking authority, 82-4-204, 82-4-205, 82-4-231, 82-4-233
  siting, See **Location of mine site**
  state land coal leases, compliance, 77-3-306
  successor operator, 82-4-238
  surface owner, 82-4-203
    permit application, enumeration in, 82-4-222
    protection, efforts for, 82-4-231
    vegetation when restored, ownership, 82-4-236
  violations generally, 82-4-227, 82-4-251, 82-4-254

MINES AND MINING (Continued)
Strip and underground mining, coal and uranium... (Continued)

- water
  - applicability of laws, 82-4-253
  - area mining requirements, 82-4-232
  - definitions, 82-4-203
  - elimination from permit area, 82-4-227
  - land designation as unsuitable for coal mining, 82-4-228
  - location of mine site, permit provisions, 82-4-123, 82-4-125
  - permits, 82-4-222, 82-4-223, 82-4-227, 82-4-231, 82-4-234, 82-4-251
  - pollution, 82-4-227, 82-4-231, 82-4-232, 82-4-239
  - reclamation, 82-4-203, 82-4-205, 82-4-231, 82-4-232, 82-4-234, 82-4-239
  - supply, damages to, 82-4-253
  - treatment authorities or facilities, 82-4-231, 82-4-232, 82-4-239
  - use proposals, detail in reclamation plan, 82-4-231

Strip mining, 82-4-103, 82-4-203
- hours of work for employees, 39-4-104
- location of site, Title 82, chapter 4, part 1
- reclamation, Title 82, chapter 4, part 2

Surface owner, See **Landowner**
Taxation, Title 15, chapter 23, parts 5, 7, and 8; Title 15, chapters 35, 37, and 38
Technology development projects, Title 90, chapter 3
Tenancy in common, 70-1-311, 70-19-202
Tenants at will or tenant for years, right to work mines, 70-16-104, 70-26-206
Thorium, radiation control, Title 75, chapter 3
Travertine, net proceeds tax — exemption, 15-6-131, 15-23-502
Trust property, lease of, 72-34-322
Trusts for unlocatable owners
- administration of trust, 82-1-304
- creation, 82-1-302, 82-1-303
- definition, 82-1-301
- existing trust, 82-1-305
- filing of addresses, 82-1-306
- liability of petitioner, 82-1-303
- trustees, 82-1-302, 82-1-305

Underground mines, 82-4-303
- hours of work for employees, 39-4-103, 39-4-107
- lateral and subjacent support, right to, 70-16-203
- location of site, Title 82, chapter 4, part 1
- reclamation, Title 82, chapter 4, part 2
- strip or underground operations near, 82-4-227

Uniform Commercial Code, applicability of laws, 30-1-201, 30-2A-103
Unlawful detainer, 70-27-108
Unlocatable owners, Title 82, chapter 1, part 3
Uranium
- radiation control, Title 75, chapter 3
- reclamation, Title 82, chapter 4, part 2
- siting, Title 82, chapter 4, part 1

Violations
- carriers, confiscation of coal, 69-11-108
- coal invoices and bills, violations, 82-3-205
- commencement of operations, failure to file statement, 39-3-502
- consignment of ore
  - payment, 82-2-422
  - statements to accompany, 82-2-425, 82-2-426

MINES AND MINING (Continued)
Violations (Continued)

- fines, 50-72-104, 82-2-115, 82-2-403, 82-2-406, 82-2-422, 82-2-426, 82-4-141, 82-4-254, 82-4-306
  - disposition, 82-4-311
- foreign substances, introduction into ore, 82-2-403
- hours of work, violation, 39-4-101, 39-4-103, 39-4-104, 39-4-107
- lease, failure to release from record, 82-1-201
- location of claim, generally, 82-2-115
- location of mine site, generally, 82-4-141
- metal mines, generally, 82-4-361
- mine shaft, failure to cover or fence, 45-8-113
- notice to landowner, generally, 82-2-306
- opencut mines, generally, 82-4-441
- proceeds statement, generally, 82-2-426
- safety and health violations, 50-72-104, 50-73-105
- sampling of ore, 82-2-403, 82-2-406, 82-2-426
- strip and underground mining generally, 82-4-254
- wage claims, failure to file statement of commencement of operations, 39-3-502

Water
- ground water assessment, purpose, Title 85, chapter 2, part 9
- metal mines, See **Metal mines**
- opencut mines, 82-4-403, 82-4-431, 82-4-434
- road, ditch, flume, or tunnel right-of-way, 82-2-202
- strip and underground mine site operations, See **Strip and underground mining, coal and uranium — operation**

Working of claim, See **Location of claim**

MINORS
- See also **GUARDIANS AND GUARDIANSHIP; PARENT AND CHILD; YOUTH COURT**

Abandonment, 41-3-102
- adoption, consent requirement, 40-8-111
- criminal charges when, 45-5-622
- custody
  - parent entitled to, limitation, 40-6-221
  - proceedings, commencement, 40-4-211
  - relinquishment, presumptive evidence, 40-6-235
- endangering the welfare of children, 45-5-622
- parent-child legal relationship termination, criteria, 41-3-608, 41-3-609
- support, location of parents — cooperation, 40-5-206
- waiver of summons, 41-5-503
- youth court proceedings, prima facie evidence, 41-5-503

Abortion, Title 50, chapter 20, See also **ABORTION**
- notice to parents or guardians, 50-20-107
- self-consent inapplicable, 41-1-405
- viable infant, defined, 50-20-104
  - abortion after viability, grounds, 50-20-109
  - birth, protection after, 50-20-108
  - rights of unborn children, 41-1-103

Abused, neglected, and dependent children, Title 41, chapters 3 and 6, See **Interstate Compact on Juveniles; CHILD ABUSE AND NEGLECT**

Actions
- capacity as party, 25-5-301, 25-31-602, 25-34-105, 25-35-505, 27-1-511, 41-1-202; Title 25, chapter 20, M.R.Civ.P., Rule 17(c)
- default judgment against, Title 25, chapter 20, M.R.Civ.P., Rule 55(b)
- depositions, Title 25, chapter 20, M.R.Civ.P., Rule 27(a)

MINORS (Continued)
Actions (Continued)

- guardian ad litem, See **GUARDIANS AND GUARDIANSHIP**
- justice's court, representation, 25-31-602
- liability of minors, 27-1-711, 41-1-201
- parent, as — child support, for, 40-5-159
- rights, enforcement, 41-1-202
- service of process, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- small claims court, 25-34-105, 25-35-505
- statutes of limitations, 27-2-205, 27-2-401, 70-19-413

Adoption, Title 40, chapter 8, part 1; Title 52, chapter 2, part 5, See **ADOPTION OF CHILDREN**
Age
- alcoholic beverages, 16-3-301, 16-3-305, 16-6-305, 61-5-206; Const., II, 14
- "child" defined, 41-3-102
- child support payment past 18 years, extension when, 40-5-201
- discrimination, See **DISCRIMINATION**
- drivers' licenses, 61-5-105, 61-5-106, 61-5-206, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Minors**
- emancipated youth, 20-25-501, 41-3-102, 41-3-406, 41-3-408
- employment requirements, 41-2-105 — 41-2-110, 41-2-115
- majority defined, 41-1-101; Const., II, 14; II, 15
- marriage, 40-1-202, 40-1-203
- "minor" defined, 20-25-501, 23-4-101, 41-1-101; Const., II, 14; II, 15
- minority, calculation, 41-1-102
- voting, 13-1-111, 13-2-205; Const., IV, 2
- "youth" defined, 7-6-501, 41-3-102, 41-5-103

Agent, may not appoint, 28-10-104, 28-10-704, 41-1-301
AIDS testing, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Aid to families with dependent children (**AFDC**), Title 53, chapter 4, part 2, See **PUBLIC ASSISTANCE**
Alcohol abuse, 41-1-402, 41-1-403, See **Medical care**; **CHEMICAL DEPENDENCY, Minors**
Alcoholic beverages
- bartenders, prohibited as, 39-2-306
- misrepresentation of age unlawful, 16-3-301, 16-6-305, 16-6-314, 61-5-206
- possession or attempt to purchase unlawful, 16-3-301, 16-6-305, 16-6-314, 41-5-601, 45-5-624
- selling or providing to, unlawful when, 16-3-301, 16-6-305, 16-6-314, 45-5-622, 45-5-623

Anatomical gifts, 72-17-214, 72-17-215
Apprenticeship, 39-6-106, 41-2-107, 41-2-110
Arrest, Title 41, chapter 5, See **YOUTH COURT, Detention of youth**
Assault upon, 40-8-111, 45-1-205, 45-5-201, 45-5-502, 45-5-627
Attorneys for, See **ATTORNEYS AT LAW, Minors; CHILD ABUSE AND NEGLECT, Counsel; YOUTH COURT, Counsel**
Banks and trust companies
- deposits in name of minor, 32-1-444, 72-5-104
- transfers to, custodian, 72-26-502, 72-26-603

Bartenders, prohibited as, 39-2-306
Birth, See **BIRTH; VITAL STATISTICS, Birth certificates**
Boats and boating
- age requirements for operators, 23-2-523
- life preservers required to be worn when, 23-2-521
- waterskiing — motorboat operator and observer, minimum age, 23-2-529

Borrowing money, See **Contracts**

MINORS (Continued)

Boxing matches or exhibitions, 23-3-404, See **BOXING AND WRESTLING**
Building and loan associations, savings accounts held by minors, 32-2-401, 32-2-418, 72-5-104
Camps, health regulation, 50-52-101, See **CAMPING AND CAMPGROUNDS**
Care facilities, Title 41, chapter 3, See **YOUTH COURT, Youth residential facilities**
Chemical dependency, See **CHEMICAL DEPENDENCY**
Chemical sets for, hazardous substances exemptions, 50-30-203
Child abuse and neglect, Title 41, chapter 3
Child custody, Title 40, chapter 7
Child Labor Standards Act, Title 41, chapter 2, part 1, See **Employment**
Children of minors, See **Parent, minor as**; See also **PARENT AND CHILD**
Children's multiagency services, Title 52, chapter 2, parts 2 and 3, See also **CHILDREN'S MULTIAGENCY SERVICES**
Children's trust fund
  administration, Title 41, chapter 3, part 7, See **CHILD ABUSE AND NEGLECT**
  board, establishment, 2-15-2402
  funding, 15-30-155, 25-1-201, 41-3-701 — 41-3-703
Child support, Title 40, chapter 4
Child welfare services, Title 52, chapter 2, part 1
Commitment, Title 41, chapter 5, See **CHILD ABUSE AND NEGLECT, Placement of child; YOUTH COURT, Commitment of youth; Placement of youth**
Communicable diseases, treatment for, 41-1-402, 41-1-403, See **Medical care**
Community service corps program, Title 90, chapter 14, part 1
Conciliation proceedings, 40-3-102, 40-3-111, 40-3-122, 40-3-127
Confidential communications
  children's services, multiagency — case records, 52-2-203, 52-2-211
  counselor-client privilege and exceptions, 26-1-809, 37-23-301
  psychology teachers and observers, 26-1-808
  social worker-client communications, 37-22-401
Consent by minor
  adoption, when, 40-8-113
  AIDS testing, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
  criminal acts, consent ineffective when, 45-2-211
  custody proceedings, professional evaluation, 40-4-215
  medical care
    custody investigations, medical information for, 40-4-215
    disaffirmance, 41-1-404, 41-1-406
    emergency situations, 41-1-405, 41-1-406
    information, for release, 41-1-403
    premarital examination, 40-1-203
    psychiatric or psychological counseling, 41-1-406, 41-1-407, 53-21-112
    required, 41-1-405
    validity, 40-1-203, 41-1-402, 41-1-406
  psychiatric or psychological counseling, 41-1-406, 41-1-407, 53-21-112
  rodeos and similar events, voluntary participation, 27-1-733
  school employees, confidential communications — release of information, 26-1-809
Conservatorship, See **ESTATES AND PROBATE, Conservators and conservatorship**
Constitutional rights, See **Rights**
Contracts
  agency, applicability of laws to, 28-10-704
  delegation of power forbidden, 28-10-104, 41-1-301
  disaffirmance
    necessaries, prohibited when, 28-2-204, 41-1-305
    statutory obligations, prohibited when, 41-1-306

MINORS (Continued)
Contracts (Continued)
  disaffirmance (Continued)
    power of, 41-1-302, 41-1-304
  emancipation, limited — rights following, 41-3-408
  insurance, 33-15-103, 33-15-401, 33-15-502
  loans, educational — capacity to make, 41-1-303
  marriage
    contract in restraint of, 28-2-706, 70-1-404
    settlement contracts, 40-2-311, 40-2-312, 40-2-314, 40-2-315
  necessaries, for, 28-2-202, 28-2-204, 41-1-305
  power, 28-2-201, 28-2-204, 33-15-103, 41-1-302, 41-3-408
Contributing to the delinquency of, 45-5-622, 45-5-623
Corporal punishment or physical restraint, 20-4-302, 45-3-107
Correctional facilities, Title 41, chapter 5, See **YOUTH COURT, Correctional facilities**
Counsel for, See **ATTORNEYS AT LAW, Minors; CHILD ABUSE AND NEGLECT, Counsel; YOUTH COURT, Counsel**
Counseling for, 40-1-213, 41-1-402, 41-1-406, 41-1-407
Counselor-client privilege and exceptions, 26-1-809, 37-23-301
County interdisciplinary child information teams, 41-3-205, 41-5-602, 41-5-603, 52-2-211
Credit unions, shares held by minors, 32-3-504
Crimes
  alcoholic beverages
    jurisdiction of courts, 41-5-203
    misrepresentation of age, 16-3-301, 16-6-305
    possession or attempt to purchase by, 16-3-301, 16-6-305, 16-6-314, 41-5-601, 45-5-624
    selling to or giving to, 16-3-301, 16-6-305, 16-6-314, 45-5-622, 45-5-623
  assault upon, 40-8-111, 45-1-205, 45-5-201, 45-5-502, 45-5-627
  bartenders, employment as, 39-2-306
  consent, ineffective when, 45-2-211
  contributing to the delinquency of, 45-5-622, 45-5-623
  corporal punishment or physical restraint, 20-4-302, 45-3-107
  counselors, communications indicating client is victim of crime, 37-23-301
  curfew provisions, 7-32-2302
  drugs, See also **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**
    criminal production or manufacture, court jurisdiction, 41-5-203
    imitation dangerous, possession or sale, 45-9-112, 45-9-113
  employment of minors, 41-2-116 — 41-2-118, 46-18-212
  endangering welfare of children, 40-8-111, 45-5-622
  explosives
    charged as adult in district court when, 45-1-206
    detention when, 41-5-305
    sale or gift to, 45-5-623
  firearms, use by children under 14, 45-8-344
    parent or guardian liable, 45-8-345
  fireworks, sale or gift to, 45-5-623, 50-37-103
  force to restrain, justifiable when, 45-3-107
  gambling activities, participation and exception, 23-4-301, 23-5-158, 23-7-110, 41-5-203
  glue sniffing, 45-9-121
  horseraces, parimutuel betting — permitting participation, 23-4-301
  indecent exposure to, 45-8-201
  interference with sentence or court order, 45-5-624
  intoxicating substances, 45-2-101
    possession or attempt to purchase, exception and penalties, 16-6-305, 45-5-624
    selling or giving to, 16-6-305, 45-5-622, 45-5-623
  kidnapping, See **CRIMES, Kidnapping**
  lottery, state — tickets or chances, sale to or purchase by, 23-7-110
  obscene material, display or dissemination to, 45-8-201, 45-8-205 — 45-8-208

MINORS (Continued)
Crimes (Continued)

- paint sniffing, 45-9-121
- pawnbroker or junk dealer — transactions with, when, 45-5-623
- prostitution, promoting a minor, 45-5-603, 45-5-622
- refrigerator or other container, discarding unlawfully, 45-8-113
- ritual abuse, 27-2-217, 45-1-205, 45-5-627
- sentencing, See **SENTENCING**
- sexual abuse, See **CRIMES, Sexual offenses**
- sexual material, offensive
  - public display or dissemination to, 45-8-205 — 45-8-208
  - use in, 45-1-205, 45-5-620, 45-5-625
- sexual offenses when victim a minor, 45-5-501 — 45-5-503, 45-5-507, 45-5-511, 45-5-603, 45-5-620, 45-5-625
  - statute of limitation, 45-1-205
- social workers, communications indicating client is victim of crime, 37-22-401
- theft when victim a minor, time limitation on, 45-1-205
- toxic substances, possession, 45-9-121
- unlawful transactions with, 45-5-623
- victims and witnesses — treatment, protection, and services, See **CRIME VICTIMS AND WITNESSES**

Curfew, 7-32-2302
Custody, See **CHILD ABUSE AND NEGLECT; CHILD CUSTODY; YOUTH COURT**
Damages
- liability, 27-1-711, 41-1-201
- property, parental liability, 20-5-201, 40-6-237, 40-6-238
- vicarious liability of parent, 20-5-201, 40-6-237, 40-6-238

Day care, Title 52, chapter 2, part 7, See **DAY CARE**
Death
- child abuse and neglect, 41-3-206, 41-3-609
- contracts, disaffirmance, 41-1-304
- driver's license, cancellation upon death of person signing application, 61-5-202
- emergency medical care, 41-1-405
- fetal death, See **DEATH**
- infants, See **DEATH, Infants**
- "physical injury" defined, 41-3-102
- posthumous children, property — future interest, 70-1-420, 70-1-422
- residence, determination if parent deceased, 1-1-215, 20-25-503
- tort action, medical malpractice, 27-2-205
- transfers to minor, death of minor, 72-26-803
- withholding of medically indicated treatment, 41-3-102

Death penalty, 46-18-304, See **DEATH PENALTY**
Deeds and conveyances
- power to make and disaffirm, 41-1-302
- transfers to, nomination of custodian, 72-26-601

Delinquent minors, Title 41, chapter 5, See **Interstate Compact on Juveniles; Interstate Compact on the Placement of Children; YOUTH COURT**
Dental care, See **Medical care**
Dependent children, Title 41, chapters 3 and 5, See **Interstate Compact on Juveniles; CHILD ABUSE AND NEGLECT; YOUTH COURT**
Depositions, Title 25, chapter 20, M.R.Civ.P., Rule 27(a)
Desertion, See **Abandonment**
Destruction of property by, See **Property**
Detention, Title 41, chapter 5, See **YOUTH COURT, Detention facilities and services; Detention of youth**
Developmentally disabled, Title 52, chapter 4, part 1; Title 53, chapter 20, See **DEVELOPMENTALLY DISABLED PERSONS**

MINORS (Continued)

Disabilities, children with, Title 20, chapter 7, part 4, See **SCHOOLS, Special education**
Disability insurance, See **Insurance**
Discriminatory practices, See **DISCRIMINATION**
Domestic service employment, 41-2-103 — 41-2-105
Door-to-door sales by, 30-14-502
Drivers' license provisions, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Drugs and drug abuse, 41-1-402, 41-1-403, See **Medical care; CHEMICAL DEPENDENCY; DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**
Earnings, See **Employment**
Education, generally, See **EDUCATION**
- attendance in school, See **SCHOOLS, Attendance**
- children's services, multiagency, 52-2-202, 52-2-211; Title 52, chapter 2, part 3
- emancipation, limited — following, 41-3-408
- guardian's authority, 72-5-231
- loans for, capacity to make, 41-1-303
- overtime compensation exclusions for employees in residential schools, 39-3-406
- parental obligation, Title 40, chapter 6, part 2; Title 41, chapter 3, See **PARENT AND CHILD**
- special, Title 20, chapter 7, part 4
- veterans' dependents, university system tuition and fee waiver, 20-25-421

Elections
- voting age, 13-1-111, 13-2-205; Const., IV, 2
- voting program, Title 13, chapter 22, See also **ELECTIONS**

Emancipated youth, defined, 20-25-501, 41-3-102
- insurance, power to contract, 33-15-103
- interstate compact on juveniles, applicability, 41-6-101
- limited emancipation, order for and criteria, 41-3-406, 41-3-408, See **CHILD ABUSE AND NEGLECT, Emancipation, limited**
- medical care, consent by, 41-1-402
- shoplifting, civil penalty, 27-1-718
- youth court and department of family services records open to inspection by, 41-5-603

Emotionally disturbed children, 52-2-101
- policy concerning support services, 40-7-102

Employment
- apprenticeship, 39-6-106, 41-2-107, 41-2-110
- bartenders, prohibited as, 39-2-306
- definitions, 41-2-103
- earnings
  - control by parent, relinquishment, 40-6-235
  - minimum wage and overtime compensation exclusions, 39-3-406
  - parents' claim to, 40-6-221
  - payment to child, 40-6-236
  - tax withholding exemption, 15-30-201
- emancipation, limited — following, 41-3-408
- enforcement, 39-1-102, 41-2-116 — 41-2-118, 46-18-212
- exemptions, 41-2-104
  - agricultural occupations, 41-2-109
  - sixteen and seventeen years old, 41-2-110
- federal agencies, cooperation with, 39-1-104
- fourteen and fifteen years old, prohibited, 41-2-105 — 41-2-108
- occupations prohibited, 39-2-306, 41-2-106, 41-2-107
- penalties for violations, 41-2-118
- personal solicitation sales by, 30-14-502
- prohibited when, 39-2-306
- under fourteen years old, prohibited, 41-2-104, 41-2-105

MINORS (Continued)
Employment (Continued)

  unemployment insurance coverage exclusion, 39-51-204
  workers' compensation, Title 39, chapter 71, See **WORKERS' COMPENSATION, Minors**
  working hours, 41-2-115
Endangering the welfare of children, 45-5-622
Estates and probate, See **ESTATES AND PROBATE, Child; Minors; Unborn persons**
Explosives
  charged as adults in district court when, 41-5-206
  detention when, 41-5-305
  sale or gift to unlawful, 45-5-623
Exportation, supervision, 41-4-107, 52-2-114
Extradition, Title 41, chapter 6, part 1, See **Interstate Compact on Juveniles**
Family law mediation, Title 40, chapter 4, part 3, See **FAMILY LAW MEDIATION**
Family Policy Act, 41-7-101, 41-7-102
Farm implements dealership ownership, succession, Title 30, chapter 11, part 8
Fetal death, Title 50, chapter 15, See **VITAL STATISTICS**
Firearms
  possession, local government regulation, 45-8-351
  use by children under 14 unlawful and exception, 45-8-344
    parent or guardian liable, 45-8-345
Fireworks, sale or gift to or by unlawful, 45-5-623, 50-37-103
Force to restrain, justifiable use of, 45-3-107
Foster homes, placement in, Title 41, chapter 3, part 11, See **CHILD ABUSE AND NEGLECT; YOUTH COURT, Youth residential facilities**
Fraternal benefit societies, 33-7-106, 33-7-520
Gambling activities, participation prohibited and exception, 23-4-301, 23-5-158, 23-5-603, 23-7-110, 23-7-301, 23-7-302, 41-5-203
Genetics program, voluntary statewide, 33-2-712, 33-2-713, 50-19-211
Gifted and talented children programs, See **SCHOOLS**
Grandparent visitation rights, 40-4-217, 40-9-101, 40-9-102
Guardians, See **GUARDIANS AND GUARDIANSHIP**
Hard-to-place children, adoption, Title 52, chapter 2, part 5, See **ADOPTION OF CHILDREN**
Hazardous substances, protection from, 50-30-201 — 50-30-203, 50-30-216, 50-30-220
Head start agencies, collective bargaining for employees, 39-31-103, See **PUBLIC EMPLOYEES, COLLECTIVE BARGAINING**
Health care, Title 50, chapter 15, See **Medical care; HEALTH CARE INFORMATION**
Hearing aid dispensers, recommendation for medical examination required, 37-16-303
HIV-related testing, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Homeless children, school admittance, 20-5-101, See also **CHILD ABUSE AND NEGLECT**
Horseraces, permitting participation in parimutuel betting unlawful, 23-4-301
Hospital care, See **Medical care**
Hunter safety education, 87-2-105
Hunting and fishing, See **FISH AND WILDLIFE**
Illegitimate children, See **Legitimacy; PARENT AND CHILD**
Imitation dangerous drugs, See also **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**
  possession, 45-9-113
  sale to, 45-9-112
Importation, supervision, 41-4-107, 52-2-114
Income tax, individual, 15-30-112 — 15-30-115, 15-30-135, 15-30-201
Indecent exposure to, 45-8-201
Indigent parents, support of, Title 40, chapter 6, part 2, See **PARENT AND CHILD**
Infants, See this main category generally; See also **BIRTH**

MINORS (Continued)

Injuries to, See also **CHILD ABUSE AND NEGLECT**
    guardian's liability, 72-5-231
    tort action, for, 27-1-512, 27-2-205
Insurance
    applications, 33-15-401
    claims and benefits, acquittance for payments, 33-15-502
    contracts, power to make, 33-15-103, 33-15-401, 33-15-502
    disability
        beneficiary, as, 33-22-212
        contract, power to, 33-15-103, 33-15-401, 33-15-502
        handicapped, 33-22-304, 33-22-506
        insured, as, 33-22-604
        newborn infants, 33-22-301, 33-22-504
        well-child care, 33-22-303, 33-22-512
    life insurance
        acquittance, 33-15-502
        beneficiary, as, 33-20-115
        contract, power to, 33-15-103
        premiums, 33-20-204
    transfers to, 72-26-603, See **TRUSTS, Minors, transfers to**
    unemployment insurance coverage exclusion, 39-51-204
    well-child care, coverage for, 33-22-303, 33-22-512, 33-30-1014
Interstate Compact on Juveniles, Title 41, chapter 6, part 1
    administrator, appointment and duties, 41-6-102, 41-6-103, 41-6-104
    enactment, 41-6-101
    enforcement, 41-6-105
    financial obligations, provisions for, 41-6-104
    supplemental agreements and procedures, 41-6-103, 41-6-104, 41-6-106
Interstate Compact on the Placement of Children, Title 41, chapter 4, part 1
    agreements, supplemental, 41-4-105, 41-4-106
    appropriate authorities, 41-4-103, 41-4-104
    definitions, 41-4-103, 41-4-104, 41-4-109
    enactment and text, 41-4-101
    executive head, 41-4-109
    family services, department of — authority respecting, 41-4-103, 41-4-104, 41-4-107, 52-1-103, 52-2-114
    financial responsibility, 41-4-102, 41-4-105
    jurisdiction of courts, 41-4-108
    laws not applicable, 41-4-107
    requirements, 41-4-106
Interstate Family Support Act, Uniform, Title 40, chapter 5, part 1
Intoxicating substances, 45-2-101, See also **Alcoholic beverages; DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Dangerous drugs**
    possession or attempt to purchase, exception and penalties, 16-6-305, 45-5-624
    selling or giving to, 16-6-305, 45-5-622, 45-5-623
Kidnapping, See **CRIMES, Kidnapping**
Labor, See **Employment**
Legal age, 41-1-101; Const., II, 14; II, 15
Legitimacy, See also **PARENT AND CHILD**
    adoption of illegitimate children, 40-8-106
        release or consent for, 40-6-125, 40-6-128, 40-6-130
    birth certificate upon proof of legitimation, 50-15-207
    disclosure of information, 40-8-126, 50-15-206
    dissolution of marriage, born after, 40-6-202
    hearsay exceptions, Title 26, chapter 10, M.R.Ev., Rules 803, 804

MINORS (Continued)
Legitimacy (Continued)

  invalid or prohibited marriages, 40-1-401, 40-1-402
  marriage of parents subsequent to birth, 40-1-107, 40-6-203
  presumed when, 26-1-602, 40-6-201
Liability, 27-1-711, 27-1-718, 41-1-201
Life insurance, See **Insurance**
Loans, educational — capacity to make, 41-1-303
Local Citizen Review Board Pilot Program Act, Title 41, chapter 3, part 10, See **YOUTH COURT**, **Foster care**
Lottery, state — tickets or chances, sale to or by or purchase by prohibited, 23-7-110, 23-7-301, 23-7-302
Majority, 41-1-101; Const., II, 14; II, 15, See also **Age**
Marriage of, See **MARRIAGE**
Marriage settlement contracts, 40-2-311, 40-2-312, 40-2-314, 40-2-315
Married minors
  child abuse, neglect, and dependency — petitions alleging, service and contents, 41-3-401
  contract powers, 41-1-302, See also **Contracts**
  medical care
    consent, 41-1-402, 41-1-405, 41-1-406
    financial responsibility, 41-1-404
    information released when, 41-1-403
  real property, powers of attorney, 70-15-303
  settlement contracts, 40-2-311, 40-2-312, 40-2-314, 40-2-315
Maternal-child health programs, 50-1-202, 50-16-102
Medical care
  "adequate health care" defined, 41-3-102
  aid to families with dependent children (AFDC), coverage, Title 53, chapter 4, See **PUBLIC ASSISTANCE**
  children's services, multiagency, 52-2-202, 52-2-211, 52-2-301, 52-2-307
  communicable diseases, 41-1-402, 41-1-403
  consent by minor
    custody investigations, medical information for, 40-4-215
    disaffirmance, 41-1-404, 41-1-406
    emergency situations, 41-1-405, 41-1-406
    information, for release, 41-1-403
    premarital examination, 40-1-203
    psychiatric or psychological counseling, 41-1-406, 41-1-407, 53-21-112
    required when, 41-1-405
    validity, 40-1-203, 41-1-402, 41-1-406
  counseling, 40-1-213, 41-1-402, 41-1-406, 41-1-407
  drug or alcohol abuse, 41-1-402, 41-1-403, See also **CHEMICAL DEPENDENCY**
  emancipation, limited — right to obtain, 41-3-408
  emergency situations, 41-1-402, 41-1-405, 41-1-406, 41-1-407
  failure to provide, 45-5-622
  financial responsibility, 41-1-403, 41-1-404, 41-1-406
  guardian's authority, 72-5-231
  handicapped children, programs, 50-1-202
  "harm to a child's health or welfare" defined, 41-3-102
  "health professional" defined, 41-1-401
  health programs, 50-1-202
  immunity from liability for care, 41-1-407
  infant mortality and morbidity information, 50-16-102
  information, disclosures, 41-1-403, See also **HEALTH CARE INFORMATION**
  medicaid payments, parental liability, 53-6-144
  metabolic tests when newborn, See **BIRTH**
  negligence in treatment, 41-1-407

MINORS (Continued)
Medical care (Continued)

- parental liability, 41-1-406, 45-5-622
- payment, liability for, 41-1-403, 41-1-404, 41-1-406
- pregnancy, 41-1-402, 41-1-403, See **PREGNANCY**
- premarital examination, 40-1-203
- psychiatric or psychological counseling, 41-1-402, 41-1-403, 41-1-406, 41-1-407, 41-3-102, 53-21-112
- public assistance, See **PUBLIC ASSISTANCE, Aid to families with dependent children (AFDC); Medicaid; Medical care**
- services, multiagency, 52-2-202, 52-2-211, 52-2-301, 52-2-307
- sexually transmitted diseases, 41-1-402, 41-1-403
- sterilization, self-consent — nonapplicability, 41-1-405
- tuberculosis, See **DISEASES, Tuberculosis**
- "withholding of medically indicated treatment" defined, 41-3-102

Mental health care, Title 53, chapter 20, See **Medical care; MENTAL ILLNESS OR INCAPACITY, Minors**
Metabolic testing of newborns, See **BIRTH**
Midwives, direct-entry — information indicating client is victim of crime, 37-27-310
Minimum wage and overtime compensation exclusions, for minor and for those responsible for care, 39-3-406
Minority, calculation, 41-1-102
Missing children information program, Title 44, chapter 2, part 5, See **MISSING PERSONS, Children**
Montana Conservation Corps, summer youth corps eligibility requirements, 23-1-312
Montana Family Policy Act, 41-7-101, 41-7-102
Motorcycles, headgear requirements, 61-9-417, 61-9-518
Motor vehicles, provisions regarding, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Mountain View School, Title 41, chapter 5, See **YOUTH COURT, Correctional facilities**
Name change, 27-31-101, 27-31-201, 40-8-121, See **NAMES, Change of**
Narcotics, See **CHEMICAL DEPENDENCY; DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Dangerous drugs**
Neglected children, Title 41, chapter 3, See **Interstate Compact on Juveniles; CHILD ABUSE AND NEGLECT**
Negotiable instruments, 30-3-209, 30-3-305
Nonsupport, See **CHILD SUPPORT; GUARDIANS AND GUARDIANSHIP**
Nurses employed by schools, confidential communications, 26-1-809
Obligations, disaffirmance, 41-1-306, See also **Contracts**
Obscenity

- public display or dissemination of materials to, 45-8-201, 45-8-206
  - definitions, 45-8-205, 45-8-206
  - exceptions, 45-8-206
  - notice of violation, 45-8-207
  - penalties, 45-8-208
- use in, unlawful, 45-1-205, 45-5-620, 45-5-625

Occupational disease benefits, payment, 39-71-742, 39-72-402
Occupations, See **Employment**
Offenses, See **Crimes**
Organ donation of deceased minor, 72-17-214, 72-17-215
Orphans, See also **CHILD ABUSE AND NEGLECT**

- aid to families with dependent children (AFDC), 53-4-201, See **PUBLIC ASSISTANCE**
- fire protection and safety regulations for orphanages, 50-61-103, See **FIRES AND FIRE PROTECTION**
- guardianship, See **GUARDIANS AND GUARDIANSHIP**
- overtime compensation exclusions for those providing care, 39-3-406
- seduction, 27-1-514

MINORS (Continued)

Overtime compensation exclusions, 39-3-406
Parent-Child Legal Relationship Termination Act of 1981, Title 41, chapter 3, part 6, See **CHILD ABUSE AND NEGLECT**
Parent-child relationship, Title 40, chapter 6; Title 41, chapter 3, See **CHILD ABUSE AND NEGLECT; PARENT AND CHILD**
Parent, minor as
  child abuse, neglect, and dependency — petitions alleging, service and contents, 41-3-401
  child of, relinquishment for adoption irrevocable, 40-8-105
  child support action when, 40-5-159
  consent for health services, 41-1-402
  parent-child legal relationship termination, guardian ad litem appointed for, 41-3-607
Parimutuel betting, permitting participation by minors unlawful, 23-4-301
Parole, Title 41, chapter 5, See **Interstate Compact on Juveniles; PROBATION, PAROLE, AND CLEMENCY; YOUTH COURT**
Partition, See **PARTITION, Minors as parties**
Paternity determination, Title 40, chapter 6, part 2, See **PARENT AND CHILD**
Pawnbroker or junk dealer
  purchases from minor, city regulations, 7-21-4208
  transactions with unlawful when, 45-5-623
Personal care facilities, eligible for residence, 50-5-226
Personal solicitation sales by, exemption, 30-14-502
Physicians, treatment by, See **Medical care**
Pine Hills School, Title 41, chapter 5, See **YOUTH COURT, Correctional facilities**
Placement of children, See **Interstate Compact on the Placement of Children; CHILD ABUSE AND NEGLECT; YOUTH COURT**
Policy and guiding principles, 41-7-102
Pornography, See **Obscenity**
Postattack emergency regulation of child care, 10-3-505
Posthumous children, future interest in property, 70-1-420, 70-1-422
Pregnancy, See **PREGNANCY**
Premarital examinations, 40-1-203
Probate matters, See **ESTATES AND PROBATE, Child; Minors; Unborn persons**
Probation, Title 41, chapter 5, See **Interstate Compact on Juveniles; PROBATION, PAROLE, AND CLEMENCY; YOUTH COURT**
Product safety, 50-30-201 — 50-30-203, 50-30-216, 50-30-220
Professional counselor-client privilege and exceptions, 37-23-301
Prohibited acts, See **Crimes**
Property
  adoption, itemization in petition, 40-8-121
  bank deposits, 32-1-444, 72-5-104
  building and loan association savings accounts, 32-2-401, 32-2-418, 72-5-104
  conservatorship, See **ESTATES AND PROBATE, Conservators and conservatorship**
  credit union shares, 32-3-504
  destruction or damage
    liability, 20-5-201, 41-1-201, 61-5-108
    parental liability, 20-5-201, 40-6-237, 40-6-238
  estates and probate, See **ESTATES AND PROBATE, Child; Minors**
  future interest, posthumous children, 70-1-420, 70-1-422
  holding over by guardian, 27-1-319
  investment company deposits, 32-1-444
  marriage, effect of contract restraining, 70-1-404
  married minors, real property — power of attorney, 70-15-303
  parental control, 40-6-232
  partition, See **PARTITION, Minors as parties**
  posthumous children, future interest, 70-1-420, 70-1-422

MINORS (Continued)
Property (Continued)

- statute of limitation, 70-19-413
- support, liability for, 40-6-212
- transfers to, See **TRUSTS, Minors, transfers to**
- trusts for, See **TRUSTS**, generally
- wages, See **Employment**, earnings

Prostitution, promoting a minor unlawful, 45-5-603, 45-5-622
Protective services, 52-2-202, See **CHILD ABUSE AND NEGLECT**
Public assistance, See **PUBLIC ASSISTANCE**
Quadricycles, headgear requirements, 61-9-417, 61-9-518
Refrigerator or other container, discarding unlawfully, 45-8-113
Residence

- definition and determination, 1-1-215
- parental right to determine, 40-6-231

Residential services, Title 41, chapter 3, part 11, See **CHILD ABUSE AND NEGLECT; YOUTH COURT, Youth residential services**
Retirement system benefits to

- fire department relief associations, 19-18-203, 19-18-502, 19-18-601, 19-18-603, 19-18-605 — 19-18-607
- firefighters' unified, 19-13-104, 19-13-704, 19-13-902, 19-13-903, 19-13-1006, 19-13-1007, 19-13-1009
- highway patrol officers', 19-6-101, 19-6-505, 19-6-601, 19-6-901, 19-6-902
- police
  - local funds, 19-19-503, 19-19-506
  - state plan, 19-9-104, 19-9-804, 19-9-903, 19-9-1007, 19-9-1101, 19-9-1102
- public employees', 19-2-802, 19-2-803, 19-3-1204
- sheriffs', 19-7-801
- teachers', 19-20-1001, 19-20-1002
- volunteer firefighters' compensation, 19-17-404 — 19-17-406

Rights, Const., II, 14; II, 15, See also **YOUTH COURT, Rights of youth**

- dissolution of marriage proceedings, right to attorney, 40-4-205
- emancipation, limited — upon order for, 41-3-408
- enforcement by civil actions, 41-1-202
- legal representation, See **ATTORNEYS AT LAW, Minors**, counsel appointed for; **CHILD ABUSE AND NEGLECT, Counsel; YOUTH COURT, Counsel**
- special education, Title 20, chapter 7, part 4
- unborn children, 41-1-103

Ritual abuse, 27-2-217, 45-1-205, 45-5-627
Rodeos and similar events, written consent for voluntary participation, 27-1-733
Runaways, return of, Title 41, chapter 6, See **Interstate Compact on Juveniles**
Safety restraint systems in motor vehicles, 61-9-420 — 61-9-423, 61-13-103
School

- agricultural student-learner, employment exemptions, 41-2-106 — 41-2-110
- attendance requirements, See **SCHOOLS, Attendance**
- career exploration program, 41-2-108, 41-2-115
- employees, confidential communications, 26-1-809

Securities, transfer to, See **TRUSTS, Minors, transfers to**
Seduction, tort action for, 27-1-514
Sentencing, See **SENTENCING**
Service of process on, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Sexually transmitted diseases, 41-1-402, 41-1-403, See **Medical care; DISEASES, Sexually transmitted diseases**
Sexual material, offensive

- public display or dissemination to minors unlawful, 45-8-205 — 45-8-208
- use of minor in, 45-1-205, 45-5-620, 45-5-625

MINORS (Continued)

Sexual offenses when victim a minor, 45-5-501 — 45-5-503, 45-5-507, 45-5-511, 45-5-603, 45-5-620, 45-5-625, See also **CRIMES, Sexual offenses**
  mental health treatment for family members, 53-9-128
  statutes of limitations, 27-2-216, 45-1-205
Shelter care, Title 41, chapter 5, See **YOUTH COURT**
Shoplifting, 7-32-4303, 27-1-718, See also **CRIMES, Theft**
Social worker-client communications, 37-22-401
State lands recreational use license, requirement, 77-1-801
Stepchildren
  adoption by stepparent, 40-8-106, 40-8-109, 40-8-117, 40-8-122, 40-8-123, 40-9-102
  aid to families with dependent children (AFDC), effect of stepparent's resources, 53-4-237
  incest, 45-1-205, 45-5-507
  support obligations of stepparent, 40-6-217, 53-4-237
Sterilization, self-consent — nonapplicability, 41-1-405, See also **Medical care**
Subsidized Adoption Act of 1977, Title 52, chapter 2, part 5, See **ADOPTION OF CHILDREN, Hard-to-place children**
Support, Title 40, chapters 4 and 5, See **CHILD SUPPORT**
Surgical treatment, See **Medical care**
Teachers, confidential communications, 26-1-809
Theft when victim a minor, time limitation on, 45-1-205
Tobacco products, control of access to, Title 16, chapter 11, part 3
Torts, liability, 27-1-711, 41-1-201, 61-5-108
Toys and other articles, determination as hazardous, 50-30-201 — 50-30-203, 50-30-220
Traffic records, 41-5-602, 41-5-604
Transfers to Minors Act, Uniform, Title 72, chapter 26, See **TRUSTS, Minors, transfers to**
Trust fund established for, when, 40-4-202, See **TRUSTS**
Tuberculosis, See **DISEASES**
Unborn children
  abortion, Title 50, chapter 20, See **ABORTION**
  birth, See **BIRTH**
  estate of, subject to income tax, 15-30-135, See **TAXATION, INDIVIDUAL INCOME, Estate or trust income**
  estates, See **ESTATES AND PROBATE, Unborn persons**
  fetal death, See **VITAL STATISTICS**
  pregnancy, See **PREGNANCY**
  rights of, 41-1-103
  trusts, See **TRUSTS**
Unemployment insurance coverage exclusion, 39-51-204
Uniform Adoption Act, Title 40, chapter 8, part 1
Uniform Child Custody Jurisdiction Act, Title 40, chapter 7
Uniform Interstate Family Support Act, Title 40, chapter 5, part 1
Uniform Parentage Act, Title 40, chapter 6, part 1
Unlawful acts, See **Crimes**
Unlawful transactions with, 45-5-623
Veterans' dependents, university system tuition and fee waiver, 20-25-421
Video gambling machines, access to — prohibited, 23-5-603
Violations, See **Crimes**
Vocational education training program, employment exemptions, 41-2-109, 41-2-110
Voting age, 13-1-111, 13-2-205; Const., IV, 2
Voting program, Title 13, chapter 22, See also **ELECTIONS**
Wages, See **Employment**, earnings
Waterskiing, regulations, 23-2-521, 23-2-529
Welfare, Title 52, chapter 2; Title 53, chapter 4, See **CHILD ABUSE AND NEGLECT, Child welfare services; PUBLIC ASSISTANCE**

MINORS (Continued)

Well-child care, insurance coverage, 33-22-303, 33-22-512, 33-30-1014
Workers' compensation, Title 39, chapter 71, See **WORKERS' COMPENSATION, Minors**
Wrestling matches or exhibitions, 23-3-404, See **BOXING AND WRESTLING**
Youth camps, health regulation, 50-52-101, See **CAMPING AND CAMPGROUNDS**
Youth centers, See **RECREATION**
Youth court, Title 41, chapter 5, See **YOUTH COURT**
Youth guidance centers, multicounty, 7-16-2104
Youth in need of care, See **CHILD ABUSE AND NEGLECT**
Youth in need of supervision, See **YOUTH COURT**
Youth residential services, Title 41, chapter 3, part 11, **CHILD ABUSE AND NEGLECT; YOUTH COURT, Youth residential services**

MINT AND MINT OIL PRODUCTION
Administration of provisions, 80-11-403
Assessment, See **Mint oil**, assessment
Contracts, 80-11-403
Definitions, 80-11-402
Diseases and pest control
  control, 80-11-401, 80-11-403
  identification, 80-11-411
  information to growers, 80-11-401, 80-11-411
Enforcement of provisions, 80-11-403
Field inspectors, 80-11-403, 80-11-411
Fines, 80-11-419
"First purchaser" defined, 80-11-402, See **Mint oil**, purchasers
Gifts, grants, or donations, 80-11-403, 80-11-415
Growers, 80-11-402
  assessment on mint oil, 80-11-412
    penalty for nonpayment, 80-11-418
  information to, 80-11-401, 80-11-403, 80-11-411
  invoice from purchaser, 80-11-413
  mint committee members, qualification, 2-15-3006
Improvement, 80-11-401, 80-11-403
Information to growers, 80-11-401, 80-11-403, 80-11-411
Inspections
  field, 80-11-403, 80-11-411
  records of mint oil purchasers, 80-11-416
Legislative findings, 80-11-401
Mint account — sources, use, and expenditures, 80-11-414, 80-11-415, 80-11-418, 80-11-419
Mint Committee, 2-15-3006; Title 80, chapter 11, part 4
Mint oil
  assessment, 80-11-412
    nonpayment, penalty, 80-11-418
    payment, 80-11-414
    proceeds, disposition, 80-11-414, 80-11-415
  invoice to grower, 80-11-413
  purchasers
    assessments
      collection, 80-11-412
      nonpayment, penalty, 80-11-418
      payment, 80-11-414
    "first purchaser" defined, 80-11-402
    invoice to grower, 80-11-413
    licenses — application, fee, and issuance, 80-11-417
    records, requirements, 80-11-416

MINT AND MINT OIL PRODUCTION (Continued)
Mint oil (Continued)
  purchasers (Continued)
    sworn statements, 80-11-414
    written application for license, 80-11-417
Purpose of provisions, 80-11-401
Records of mint oil purchasers, 80-11-416
Research, 80-11-403, 80-11-415
Violations and penalties, 80-11-418, 80-11-419
Weeds, 80-11-411

MISCONDUCT, OFFICIAL
  See **CRIMES, Official misconduct; PUBLIC OFFICERS OR EMPLOYEES, Malfeasance, misfeasance, or nonfeasance in office**

MISSING CHILDREN ACT OF 1985, Title 44, chapter 2, part 5
  See **MISSING PERSONS, Children**

MISSING PERSONS
Boating accidents, resulting from, 23-2-527
Children
  citation of missing children act of 1985, 44-2-501
  definitions, 44-2-502, 44-2-511
  duties of law enforcement authority, 44-2-505, 44-2-511
  found children, notification, 44-2-504
  information program, 44-2-502 — 44-2-504, 44-2-511
  list of missing children, 44-2-503, 44-2-506
  reports, 44-2-502 — 44-2-505, 44-2-511
  schools
    children absent from, notice to parents, 44-2-507
    new students, school records and proof of identity — requirements, 44-2-511
Conservatorship for property, 72-3-918, 72-5-409
Dental records and examination, 44-2-401, 44-2-402
Escheat of property, 72-3-918
Estate and probate provisions, applicability, 72-1-201
Investigation, 44-2-401, 44-2-511, 72-3-306
Presumption of death, 26-1-602, 26-1-622, 26-1-623, 72-1-108, See **ESTATES AND PROBATE, Presumed decedents**
Statutes of limitations, effect, 27-2-402, 72-3-122
Tax assessments, 15-8-501
War, missing in action — university system tuition and fee waiver to dependents, 20-25-421

MOBILE HOMES, HOUSETRAILERS, AND TRAILER COURTS
Brokers, 61-4-101, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Dealers and wholesalers**
Certificates of ownership, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Certificates of ownership**
Conservation easements, prohibitions or limitations, 76-6-203
Construction standards, 50-60-401 — 50-60-404
Dealers and wholesalers, Title 61, chapter 4
Electric suppliers, Title 69, chapter 5, part 1, See **UTILITIES, Territorial integrity for electric suppliers**
Emergency housing, as, 10-3-103, 10-3-313
Execution exemption, 70-32-101, See **PROPERTY, REAL, Homesteads**
Gross vehicle weight fees, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Homestead, as, 70-32-101, See **PROPERTY, REAL, Homesteads**
Housetrailers, special provisions
  defined, 15-24-201, 61-1-102, 61-1-501
  identification numbers, 61-3-107

MOBILE HOMES, HOUSETRAILERS, AND TRAILER COURTS (Continued)
Housetrailers, special provisions (Continued)

- junk vehicle disposal fee, exemption, 61-3-508
- license plates, 61-3-301, 61-3-332
- new vehicle sales tax, exemption, 61-3-502
- riding in, prohibited when, 61-8-367
- towing units, speed restrictions, 61-8-312

Insurance, homeowner, See generally **INSURANCE, CASUALTY; INSURANCE, PROPERTY**
Landlord-tenant provisions, mobile home parks
- applicability, 70-24-103, 70-25-102
- park rules, 70-24-311, 70-24-313
- rental agreements, 70-24-103, 70-24-436
- road maintenance, 70-24-315
- tenant associations, 70-24-314, 70-24-431

Manufacturers, Title 61, chapter 4
"Mobile home" defined, 15-1-101, 15-24-201, 61-1-501, 61-4-309
"Motor vehicle" defined, 61-1-102
Movement
- declaration of destination, 15-24-202, 15-24-204, 15-24-206
- hitches, 61-9-504
- lamp equipment, 61-9-204, 61-9-207, 61-9-208
- reflectors, 61-9-207, 61-9-208
- single movement permit and fee, 61-4-309, 61-4-310
- tire equipment, 61-9-406
- tow bars, 61-9-504
- towing units, chain or cable on, 61-9-208
- transporters, driveaway or towaway, Title 61, chapter 4, part 3
- unlawful when, 15-24-202, 15-24-204, 15-24-208, 61-12-206
- used mobile homes, 61-4-301, 61-4-302

Overtime compensation exclusions for sales and service personnel, 39-3-406
Parks for development, Title 76, chapters 1 and 4, See **PLANNING BOARDS; SUBDIVISIONS**
Plumbing installations, exemption from licensing provisions, 37-69-102
Records and indexes, 61-3-101
Registration fees, 61-3-321, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Registration**
Regulation of trailer courts
- administration, funding, 50-52-210
- construction of courts, 50-52-102
- definitions, 50-52-101
- discriminatory practices, Title 49, See **DISCRIMINATION, Public accommodations**
- enforcement, 50-52-107, 50-52-108, 50-52-302
- inspections, 50-52-103, 50-52-108, 50-52-301 — 50-52-303
- licenses and licensing
  - application, 50-52-201
  - cancellation, 50-52-205 — 50-52-207
  - denial, 50-52-207, 50-52-209
  - expiration, 50-52-203
  - fees, 50-52-202
  - hearings, 50-52-207, 50-52-209
  - issuance, 49-3-204, 50-52-201
  - list of licensees to department of health and environmental sciences, 50-52-204
  - validation, 50-2-118, 50-52-201, 50-52-208, 50-52-209
- lodging facility use tax, nonapplicability, 15-65-101
- rules, 50-52-102, 50-52-106 — 50-52-108, 50-52-210, 50-52-301
- sanitarians, authority, 37-40-101, 50-52-103, 50-52-201, 50-52-301 — 50-52-303

MOBILE HOMES, HOUSETRAILERS, AND TRAILER COURTS (Continued)
Regulation of trailer courts (Continued)

- solid waste management district service charges, payment, 7-13-232
- space rental, applicability of landlord-tenant provisions, 70-24-103, 70-24-422
- violations, 50-52-105
  - cancellation of license, 50-52-205
  - injunction, 50-52-106, 50-52-107
  - investigation costs and expenses, recovery, 50-52-108
  - penalties, 50-52-105, 50-52-107, 50-52-205
  - prosecution, 50-52-104
  - validation of license, refusal when, 50-52-209

Sales
- construction standards, compliance required, 50-60-402
- installment, See **CREDIT TRANSACTIONS, Retail installment sales**, motor vehicles
- overtime compensation exclusions for sales personnel, 39-3-406
- security interest, 30-9-103, See **SECURED TRANSACTIONS, General intangibles**
- smoke detectors, notice requirement upon sale of dwelling, 70-20-113
- transfer of interest, 61-3-207

Security interest, 30-9-103, See **SECURED TRANSACTIONS, General intangibles**
Swimming pools or swimming areas operated in conjunction with, license fee, 50-53-203
Taxation of mobile homes and housetrailers, 15-24-201 — 15-24-210
Timeshare sales, Title 37, chapter 53
Transfer of interest, 61-3-207
Transient retail merchants, premises for, See **TRANSIENT RETAIL MERCHANTS**
Utility lines, underground, 69-4-102
Water quality districts, fee-assessed units, 7-13-4502, See **WATER QUALITY**

MODEL ACT FOR THE REGULATION OF CREDIT LIFE INSURANCE AND CREDIT DISABILITY INSURANCE, Title 33, chapter 21
See **INSURANCE, LIFE, Credit life and disability**

MODEL PUBLIC OBLIGATIONS REGISTRATION ACT OF MONTANA, Title 17, chapter 5, part 11
See **BONDS AND BOND ISSUES, Registration of public obligations**

MODEL SCHOOL INTEGRATED PEST AND PESTICIDE MANAGEMENT SAFETY PROGRAM, Title 80, chapter 8, part 4
See **PESTS AND PESTICIDES**

MONEY
Account, of, 30-12-601, 30-12-602
Actions, relation to, See **CIVIL PROCEDURE**
Actions to recover
- appeal
  - security, 25-33-201; Title 25, chapter 21, M.R.App.P., Rule 7
  - surety, subrogation, 25-13-105
- arrest of defendant, prejudgment, 27-16-102
- banks, from — statute of limitation, 27-2-213
- change of venue, costs, 25-10-204
- complaint, forms, Title 25, chapter 20, M.R.Civ.P., Appendix, Forms 5 — 7
- costs, 25-10-101 — 25-10-103, 25-10-107, 25-10-204
- delivery to party, See **CIVIL PROCEDURE**
- deposit in court, See **CIVIL PROCEDURE**
- execution, See **EXECUTION, Money judgments**
- forms, Title 25, chapter 20, M.R.Civ.P., Appendix, Forms 5 — 7
- joinder of claims, Title 25, chapter 20, M.R.Civ.P., Rule 18(b)

MONEY (Continued)
Actions to recover (Continued)

- judgments
  - entry, Title 25, chapter 20, M.R.Civ.P., Rule 58
  - expression, 25-9-203, 30-12-601, 30-12-602
  - offer, Title 25, chapter 20, M.R.Civ.P., Rule 68
  - order as, 25-13-204
- justice's court
  - pleading in, 25-31-512
  - state, recovery from — no jurisdiction, 25-31-101, 25-31-102
- offer of judgment, Title 25, chapter 20, M.R.Civ.P., Rule 68
- order to pay, enforcement, 25-13-204
- payment, presumption of debt, 26-1-602
- small claims court, in, 25-34-102, 25-35-502
- statutes of limitations, 27-2-213, 27-2-301
- tender before commencement of action, effect, 25-10-107
- tort claims, in, 25-4-311
- verdict, 25-7-502

Armored car or carrier services, Title 37, chapter 60
Bail, for, See **BAIL, Cash bail when**
Bingo prizes, 23-5-412
Carriers, loss of valuable letters, 69-11-304
Contract for
- assignment, 28-2-206
- illegal provisions, 28-2-709

Corporations
- borrowing, 35-1-115
- directors, liability for damages, 35-1-216
- distributions, 35-1-113, 35-1-712
- shareholders
  - preemptive rights not applicable when, 35-1-535
  - proxies, restriction, 35-1-525
- shares
  - fractional, 35-1-621
  - subscription agreement, default, 35-1-622

Defined, 30-1-201
Devise of, 7-6-2423, 72-3-913
Disabled persons, telecommunications services and equipment — contributions to program for, 53-19-309, 53-19-310
Drug Abuse Resistance Education (D.A.R.E.) Program, contributions for, 44-2-703
Drug violations, forfeiture of money used to facilitate, 44-12-102
Elections, illegal consideration for vote, 13-35-214, 13-35-215
Escrow businesses, "escrow" defined, 32-7-102, See **ESCROW BUSINESSES**, generally
Exchange, in, 30-11-112, 30-11-114
Execution, subject to, 25-13-501, See **EXECUTION, Money judgments**
Fantasy sports league payouts, 23-5-801
Finders, duty, 70-5-103
Fish, Wildlife, and Parks — Department of, acceptance of contributions when, 23-1-102
Foreign-money claims, Title 25, chapter 9, part 7
Foreign money-judgments recognition, Title 25, chapter 9, part 6
Fraudulent transfers, Title 31, chapter 2, part 3, See **FRAUDULENT TRANSFERS**
Funeral plans, prearranged, 72-37-101 — 72-37-103
Gambling
- bingo prizes, 23-5-412
- confiscated money, disposition, 23-5-123
- fantasy sports league payouts, 23-5-801
- "gambling" defined, 23-5-112

MONEY (Continued)
Gambling (Continued)

- losses at illegal gambling, civil action to recover, 23-5-131
- obtaining by fraud or operation of illegal gambling device or enterprise unlawful, 23-5-156
- raffle prizes, restrictions, 23-5-413
- sports pools, wagers and prizes, 23-5-501
- sports tab games, consideration, 23-5-503
- video gambling machines, amount played and prizes, 23-5-608

Gifts, See **GIFTS**, generally
Grants, See **GRANTS**, generally
Leases

- creditors, special rights, 30-2A-308
- goods, exclusion, 30-2A-103
- nonconforming tender, replacement, 30-2A-513

Legal tender, 30-12-601, 30-12-602
Loan of, 31-1-101, See **LOANS**, generally
Mentally ill persons, right to possession when institutionalized, 53-21-142
Minors, transfers to, 72-26-603, See **TRUSTS, Minors, transfers to**
Money orders, See **NEGOTIABLE INSTRUMENTS; PROPERTY, PERSONAL, Unclaimed or abandoned property**
Negotiable instruments, relationships, See **NEGOTIABLE INSTRUMENTS**, Money
Nonprofit corporations

- borrowing, 35-2-118
- director's liability for damages, 35-2-213
- loans to officer or directors not allowed, 35-2-435
- membership list to solicit, use restrictions, 35-2-910

Obligations for delivery of, See **CONTRACTS**
Payment, presumption of debt, 26-1-602
"Precious metal" defined, 30-10-103
Prisoners, discharged — "gate money", 53-30-111
Raffle prizes, restrictions, 23-5-413
Sales, payment in, 30-2-304
Search and seizure, unclaimed property — disposition, 46-5-308
Securities

- applicability, 30-8-102
- transactions, exemption, 30-10-103, 30-10-105

Security guards and companies, Title 37, chapter 60
Security interest, money as proceeds, 30-9-306
Sports pools, wagers and prizes, 23-5-501
Sports tab games, consideration, 23-5-503
Taxation

- assessment, 15-8-301
- exempt from, 15-6-204

Telecommunications services and equipment, program for — contributions, 53-19-309, 53-19-310
Trusts

- borrowing, power of trustee, 72-34-332
- breach of trust, redress, 72-34-506
- distributions, power of trustee, 72-34-340
- funeral plans, prearranged, 72-37-101 — 72-37-103
- money judgments, enforcement, 72-33-301 — 72-33-303
- principal and income, determination, 72-34-404, 72-34-408

Unclaimed, 70-9-102, 70-9-308, See **PROPERTY, PERSONAL, Unclaimed or abandoned property**
Video gambling machines, amount played and prizes, 23-5-608
Wages, payment in, 39-3-204, 39-3-402
Warranty, 30-11-114

MONOPOLIES
See **TRADE REGULATION AND COMPETITION**

MONTANA ABORTION CONTROL ACT, Title 50, chapter 20
See **ABORTION**, generally

MONTANA ACCESS TO FOOD AND NUTRITION ACT, Title 50, chapter 49, part 1
See **FOOD AND NUTRITION**

MONTANA ADMINISTRATIVE PROCEDURE ACT, Title 2, chapter 4
See **ADMINISTRATIVE PROCEDURE**

MONTANA AGRICULTURAL CENTER AND MUSEUM OF THE NORTHERN GREAT PLAINS, 23-1-109

MONTANA AGRICULTURAL CHEMICAL GROUND WATER PROTECTION ACT, Title 80, chapter 15
See **AGRICULTURAL CHEMICAL GROUND WATER PROTECTION**

MONTANA AGRICULTURAL LOAN AUTHORITY ACT, Title 80, chapter 12
See **AGRICULTURAL LOAN AUTHORITY PROGRAM**

MONTANA AGRICULTURE DEVELOPMENT COUNCIL, 2-15-3015; Title 90, chapter 9
See **AGRICULTURE, Growth through**

MONTANA ALCOHOLIC BEVERAGE CODE, Title 16, chapters 1 — 4, 6
See **ALCOHOLIC BEVERAGES**, generally

MONTANA ALFALFA SEED COMMITTEE, 2-15-3004; Title 80, chapter 11, part 3
See **AGRICULTURAL SEEDS, Alfalfa Seed Industry Act**

MONTANA ARTS COUNCIL
See **ARTS AND CULTURE**

MONTANA BAR ASSOCIATION
See **STATE BAR OF MONTANA**

MONTANA BOARD OF SCIENCE AND TECHNOLOGY DEVELOPMENT
See **SCIENCE AND TECHNOLOGY FINANCING, Board of Science and Technology Development**

MONTANA BUREAU OF MINES AND GEOLOGY
See **MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY, Mines and Geology, Bureau of**

MONTANA BUSINESS CORPORATION ACT, Title 35, chapter 1
See **CORPORATIONS**, generally

MONTANA CAPITAL COMPANY ACT, Title 90, chapter 8
See **CAPITAL COMPANIES**, generally

MONTANA CAVE CONSERVATION ACT, Title 23, chapter 2, part 9
See **RECREATION**

MONTANA CENTER FOR THE AGED, Title 53, chapter 21, part 4
See **AGING AND AGED PERSONS, Center for the Aged**

MONTANA CHILD CARE ACT, Title 52, chapter 2, part 7
See **DAY CARE**

MONTANA CHILDREN'S TRUST FUND AND BOARD, 2-15-2402; Title 41, chapter 3, part 7
  See **CHILD ABUSE AND NEGLECT, Prevention program**

MONTANA CHIROPRACTIC ASSOCIATION
  See **MALPRACTICE, CHIROPRACTIC**

MONTANA CHIROPRACTIC LEGAL PANEL ACT, Title 27, chapter 12
  See **MALPRACTICE, CHIROPRACTIC**

MONTANA CIGARETTE SALES ACT, Title 16, chapter 10
  See **CIGARETTES**

MONTANA CLEAN INDOOR AIR ACT OF 1979, Title 50, chapter 40, part 1
  See **PUBLIC ACCOMMODATIONS, Smoking areas**

MONTANA CLOSE CORPORATION ACT, Title 35, chapter 9
  See **CLOSE CORPORATIONS**

MONTANA COAL MINING CODE, Title 50, chapter 73
  See **MINES AND MINING, Coal mine safety**

MONTANA CODE ANNOTATED
  See **LAW**

MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY
  See also **UNIVERSITY SYSTEM**, generally
Appropriations, unexpended — reversion, 17-7-304
Assays and analyses, fees for, 20-25-211
Budget provisions, 17-7-102, See **BUDGET AND BUDGETING**
Designation, 20-25-201
Legislative intern program, Title 5, chapter 6
Mines and Geology, Bureau of
  agricultural chemical ground water protection research programs, 80-15-107
  appropriations, unexpended — reversion, 17-7-304
  budget provisions, 17-7-102, See **BUDGET AND BUDGETING**
  coal severance tax, testing of coal production samples, 15-35-106
  director and assistants
    appointment, 20-25-301
    duties, 20-25-213
    state geologist, director as, 20-25-301
  establishment, 20-25-211
  ground water assessment steering committee, representation on and staff support, 2-15-1523
  ground water, duties and authority, See **WATER, Ground water**
  oil and gas seismic operations, availability, 82-11-126
  radon gas or progeny studies, information to, 75-3-604
  purposes, 20-25-212
  water well contractors, board of — appointments to, 2-15-3307
Physical education plant, bonds for, 17-5-421
Purpose, 20-25-211

MONTANA COLLEGIATE LICENSE PLATES ACT, 61-3-461 — 61-3-467
  See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, License plates**

MONTANA COMMUNITY CORRECTIONS ACT, Title 53, chapter 30, part 3
  See **CORRECTIONS, Community corrections facilities and programs**

MONTANA COMMUNITY SERVICE ACT, Title 90, chapter 14, part 1
See **COMMUNITY SERVICE**

MONTANA CONCILIATION LAW, Title 40, chapter 3
See **CONCILIATION**

MONTANA CONSERVATION CORPS
Administration, 23-1-303
Community service corps and program, 23-1-301, 90-14-102, 90-14-103
Contracts or cooperative agreements, 23-1-301, 23-1-303, 23-1-314
Corps coordinator, 23-1-302, 23-1-303
Corpsmembers and crewleaders, 23-1-302, 23-1-303, 23-1-312 — 23-1-314
Definitions, 23-1-302
Funding, 23-1-303, 23-1-311, 23-1-313
Legislative intent, 23-1-301
Parks Division, duties, 23-1-301 — 23-1-303, 23-1-311, 23-1-314
Prohibited activities, 23-1-314
Purpose, 23-1-301
Rules, 23-1-303
State agencies, 23-1-302, 23-1-303
Work experience projects, 23-1-303, 23-1-311, 23-1-314

MONTANA CONSUMER LOAN ACT, Title 32, chapter 5
See **CONSUMER LOAN BUSINESSES**, generally

MONTANA CONSUMER PRODUCT SAFETY ACT OF 1975, Title 50, chapter 30
See **HAZARDOUS SUBSTANCES**, generally

MONTANA COORDINATE SYSTEM, Title 70, chapter 22, part 2
See **PROPERTY, REAL, Coordinate system**

MONTANA COUNTY ATTORNEYS' ASSOCIATION
See **COUNTY ATTORNEY**

MONTANA CREDIT UNION ACT, Title 32, chapter 3
See **CREDIT UNIONS**, generally

MONTANA CRIMINAL JUSTICE INFORMATION ACT OF 1979, Title 44, chapter 5
See **CRIMINAL JUSTICE INFORMATION**, generally

MONTANA DAM SAFETY ACT, Title 85, chapter 15
See **DAMS AND RESERVOIRS**

MONTANA DEVELOPMENTAL CENTER, Title 53, chapter 20, part 5
See **DEVELOPMENTALLY DISABLED PERSONS, Residential facilities**

MONTANA DEVELOPMENTAL DISABILITIES SERVICES AND FACILITIES ACT OF 1974, Title 53, chapter 20, part 2
See **DEVELOPMENTALLY DISABLED PERSONS, Community services; Regional councils and services**

MONTANA DEVELOPMENT CORPORATION
See **DEVELOPMENT CORPORATIONS**, generally

MONTANA DISASTER ACT OF 1977, Title 10, chapter 3, parts 1 — 4
See **EMERGENCIES AND EMERGENCY POWERS**, generally

MONTANA DRUG ABUSE RESISTANCE EDUCATION PROGRAM (D.A.R.E.), 15-30-158; Title 44, chapter 2, part 7

MONTANA DRUG PRODUCT SELECTION ACT, Title 37, chapter 7, part 5
See **PHARMACY AND PHARMACISTS, Drug product selection**

MONTANA ECONOMIC DEVELOPMENT BOND ACT OF 1983, Title 17, chapter 5, part 15
See **BONDS AND BOND ISSUES, Economic development bonds**

MONTANA EDUCATIONAL TELECOMMUNICATIONS NETWORK (METNET), 20-9-343, 20-32-101 — 20-32-104

MONTANA ELDER AND DEVELOPMENTALLY DISABLED ABUSE PREVENTION ACT, Title 52, chapter 3, part 8
See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation; DEVELOPMENTALLY DISABLED PERSONS, Abuse, neglect, or exploitation**

MONTANA ELECTRONIC FUNDS TRANSFER ACT, Title 32, chapter 6
See **ELECTRONIC FUNDS TRANSFER**, generally

MONTANA FAMILY POLICY ACT, Title 41, chapter 7, part 1

MONTANA FAMILY PRACTICE TRAINING PROGRAM, 50-5-601 — 50-5-603, 50-5-611

MONTANA FIREFIGHTERS' UNIFIED RETIREMENT ACT, Title 19, chapter 13
See **FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM**

MONTANA FOOD, DRUG, AND COSMETIC ACT, Title 50, chapter 31
See generally **COSMETICS; DRUGS AND CONTROLLED SUBSTANCES AND DEVICES; FOOD AND FOOD PRODUCTS**

MONTANA FOOTPATH AND BICYCLE TRAIL ACT OF 1975, Title 60, chapter 3, part 3
See **BICYCLES, Footpaths and bicycle trails**

MONTANA FORENSIC SCIENCE SYSTEM ACT, Title 44, chapter 3
See **FORENSIC SCIENCE**, generally

MONTANA FOREST AND CONSERVATION EXPERIMENT STATION, 17-7-102, 20-25-241 — 20-25-245
See also **UNIVERSITY OF MONTANA, Forest and Conservation Experiment Station**

MONTANA GROUND WATER ASSESSMENT ACT, Title 85, chapter 2, part 9
See **WATER, Ground water**

MONTANA GROWTH THROUGH AGRICULTURE ACT, Title 90, chapter 9
See **AGRICULTURE, Growth through**

MONTANA HANDICAPPED PERSONS' EMPLOYMENT PREFERENCE ACT, Title 39, chapter 30
See **LABOR AND EMPLOYMENT, Preference to handicapped persons**

MONTANA HAZARDOUS WASTE AND UNDERGROUND STORAGE TANK ACT, Title 75, chapter 10, part 4
See **HAZARDOUS WASTES**

MONTANA HEALTH FACILITY AUTHORITY
See **HEALTH FACILITY AUTHORITY**

MONTANA HEALTH FACILITY AUTHORITY ACT, Title 90, chapter 7
See **HEALTH FACILITY AUTHORITY, generally**

MONTANA HEALTH MAINTENANCE ORGANIZATION ACT, Title 33, chapter 31
See **HEALTH MAINTENANCE ORGANIZATIONS**

MONTANA HISTORICAL SOCIETY
See **HISTORICAL SOCIETY**

MONTANA INITIATIVE FOR THE ABATEMENT OF MORTALITY IN INFANTS (MIAMI) ACT, Title 50, chapter 19, part 3
See **PREGNANCY, MIAMI project**

MONTANA IN-STATE INVESTMENT ACT OF 1983, Title 17, chapter 6, part 3
See **COAL TRUST FUNDS, In-state investment**

MONTANA INSURANCE CODE, Title 33

MONTANA INSURANCE CONSULTANT LICENSURE ACT, Title 33, chapter 17, part 5
See **INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS, AND ADMINISTRATORS, License, consultant**

MONTANA INSURANCE GUARANTY ASSOCIATION
See **INSURANCE GUARANTY ASSOCIATION, CASUALTY AND PROPERTY**, generally

MONTANA INSURANCE GUARANTY ASSOCIATION ACT, Title 33, chapter 10, part 1
See **INSURANCE GUARANTY ASSOCIATION, CASUALTY AND PROPERTY**

MONTANA INTEGRATED LEAST-COST RESOURCE PLANNING AND ACQUISITION ACT, 69-3-1201 — 69-3-1206

MONTANA INTEGRATED WASTE MANAGEMENT ACT, Title 75, chapter 10, part 8
See **SOLID WASTE MANAGEMENT, Integrated waste management**

MONTANA JUDGES' RETIREMENT SYSTEM, Title 19, chapter 5
See **JUDGES' RETIREMENT SYSTEM**

MONTANA JUSTICE AND CITY COURT RULES OF CIVIL PROCEDURE, Const., VII, 2; Title 25, chapter 23
See generally **CITY COURTS; JUSTICES' COURTS**

MONTANA LAW ENFORCEMENT ACADEMY ACT, Title 44, chapter 10
See **LAW ENFORCEMENT**

MONTANA LIBRARY RECORDS CONFIDENTIALITY ACT, Title 22, chapter 1, part 11
See **LIBRARIES, Library records confidentiality**

MONTANA LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION
See **INSURANCE GUARANTY ASSOCIATION, LIFE AND HEALTH**, generally

MONTANA LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT, Title 33, chapter 10, part 2
See **INSURANCE GUARANTY ASSOCIATION, LIFE AND HEALTH**

MONTANA LIMITED LIABILITY COMPANY ACT, Title 35, chapter 8
See **LIMITED LIABILITY COMPANIES**

MONTANA LITTLE DAVIS-BACON ACT, Title 18, chapter 2, part 4
See **PUBLIC CONTRACTS, Wages paid by contractors**

MONTANA LIVESTOCK MARKETING ACT, Title 81, chapter 8, part 2
  See **LIVESTOCK, Markets and marketing**

MONTANA LONG-TERM CARE RESIDENTS' BILL OF RIGHTS, 50-5-1101 — 50-5-1107
  See **LONG-TERM CARE FACILITIES, Residents' rights**

MONTANA MAJOR FACILITY SITING ACT, Title 75, chapter 20
  See **FACILITY SITING**

MONTANA MEDAL OF VALOR, 1-1-515

MONTANA MEDICAL ASSOCIATION
Infant morbidity and mortality information, 50-16-102
Medical Legal Panel, duties of executive director
  director of panel, appointment and salary, 27-6-201
  investment of funds, approval, 27-6-206
Physical Therapy Examiners, Board of — submission of names of nominees, 2-15-1858
Reporting of incompetence or unprofessional conduct, 37-3-401

MONTANA MEDICAL LEGAL PANEL ACT, Title 27, chapter 6
  See **MALPRACTICE, MEDICAL, Review by panel**

MONTANA MEGALANDFILL SITING ACT, Title 75, chapter 10, part 9
  See **MEGALANDFILL SITING**

MONTANA MINT COMMITTEE, 2-15-3006; Title 80, chapter 11, part 4
  See **MINT AND MINT OIL PRODUCTION**

MONTANA NATIONAL GUARD REENLISTMENT OR EXTENSION ACT OF 1981, Title 10, chapter 1, part 8
  See **MILITARY AFFAIRS, National guard**

MONTANA NATURAL AREAS ACT OF 1974, Title 76, chapter 12, part 1
  See **LAND USE PLANNING**

MONTANA NATURAL HERITAGE PROGRAM, Title 90, chapter 15
  See **NATURAL RESOURCES, Natural Heritage Program**

MONTANA NEGOTIATED RULEMAKING ACT, Title 2, chapter 5, part 1
  See **ADMINISTRATIVE RULES**

MONTANA NONPROFIT CORPORATION ACT, Title 35, chapter 2
  See **NONPROFIT CORPORATIONS**, generally

MONTANA OLDER AMERICANS ACT, Title 52, chapter 3, part 5
  See **AGING AND AGED PERSONS, Older Montanans**

MONTANA PESTICIDES ACT, Title 80, chapter 8
  See **PESTS AND PESTICIDES**

MONTANA PLANNING AND ECONOMIC DEVELOPMENT ACT OF 1967, Title 90, chapter 1, part 1
  See **ECONOMIC DEVELOPMENT**, generally

MONTANA PORK RESEARCH AND MARKETING ACT, Title 81, chapter 8, part 6
  See **LIVESTOCK, Pork research and marketing**

MONTANA PORK RESEARCH AND MARKETING COMMITTEE, 2-15-3103; Title 81, chapter 8, part 6
  See **LIVESTOCK, Pork research and marketing**

MONTANA PRIMITIVE PARKS ACT, 23-1-115 — 23-1-118

MONTANA PROCUREMENT ACT, Title 18, chapter 4
  See **PUBLIC CONTRACTS, Procurement, state**

MONTANA PRODUCE ACT, Title 80, chapter 3, part 3

MONTANA PROFESSIONAL CORPORATION ACT, Title 35, chapter 4
  See **CORPORATIONS, Professional corporations**

MONTANA QUALITY LABEL, Title 81, chapter 8, part 7
  See **FOOD AND FOOD PRODUCTS**

MONTANA RADON CONTROL ACT, Title 75, chapter 3, part 6
  See **RADIOACTIVE SUBSTANCES**

MONTANA RANGELAND RESOURCES ACT, Title 76, chapter 14
  See **RANGELAND RESOURCES**

MONTANA RECALL ACT, Title 2, chapter 16, part 6
  See **RECALL**

MONTANA RELIGIOUS CORPORATION SOLE ACT, Title 35, chapter 3
  See **RELIGIOUS CORPORATIONS SOLE**, generally

MONTANA RESIDENTIAL LANDLORD AND TENANT ACT OF 1977, Title 70, chapter 24
  See **LANDLORD AND TENANT**, generally

MONTANA RESIDENT STUDENT FINANCIAL ASSISTANCE PROGRAM, Title 20, chapter 26, parts 1 and 2
  See **HIGHER EDUCATION, Resident student financial assistance program**

MONTANA RESOURCE INDEMNITY TRUST AND GROUND WATER ASSESSMENT ACT, Title 15, chapter 38
  See **TAXATION, MINERALS**

MONTANA RETAIL INSTALLMENT SALES ACT, Title 31, chapter 1, part 2
  See **CREDIT TRANSACTIONS, Retail installment sales**

MONTANA RETAIL MOTOR FUEL MARKETING ACT, Title 30, chapter 14, part 8
  See **TRADE REGULATION AND COMPETITION, Motor fuel marketing**

MONTANA RIGHTS OF THE TERMINALLY ILL ACT, Title 50, chapter 9, parts 1 and 2
  See **LIVING WILLS**

MONTANA RULES OF APPELLATE PROCEDURE, Const., VII, 2; Title 25, chapter 21
  See generally **APPEALS, CIVIL; APPEALS, CRIMINAL**

MONTANA RULES OF CIVIL PROCEDURE, Const., VII, 2; Title 25, chapter 20
  See **CIVIL PROCEDURE**, generally

MONTANA RULES OF EVIDENCE, Const., VII, 2; Title 26, chapter 10
  See **EVIDENCE**, generally

MONTANA SAFETY ACT, Title 50, chapter 71
  See **LABOR AND EMPLOYMENT, Safety**

MONTANA SCHOOL FOR THE DEAF AND BLIND
  See **DEAF AND BLIND, MONTANA SCHOOL FOR THE**

MONTANA SCIENCE AND TECHNOLOGY FINANCING ACT, Title 90, chapter 3
  See **SCIENCE AND TECHNOLOGY FINANCING**

MONTANA SEATBELT USE ACT, Title 61, chapter 13, part 1
  See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Seatbelts**

MONTANA SEED LABORATORY
  See **MONTANA STATE UNIVERSITY, Seed Laboratory**

MONTANA SELF-INSURERS GUARANTY FUND ACT, Title 39, chapter 71, part 26
  See **WORKERS' COMPENSATION, Self-insurers guaranty fund**

MONTANA SMALL BUSINESS LICENSING COORDINATION ACT, Title 30, chapter 16
  See **TRADE REGULATION AND COMPETITION, Small business licensing coordination**

MONTANA SMALL BUSINESS PURCHASING ACT, Title 18, chapter 5, part 3
  See **PUBLIC CONTRACTS, Small businesses, purchase preference to**

MONTANA SOIL SURVEY ACT, Title 76, chapter 11, part 2
  See **LAND USE PLANNING**

MONTANA SOLID WASTE MANAGEMENT ACT, Title 75, chapter 10, part 2
  See **SOLID WASTE MANAGEMENT**

MONTANA STATE BUREAU OF MINES AND GEOLOGY
  See **MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY, Mines and Geology, Bureau of**

MONTANA STATE COLLEGE
  See **MONTANA STATE UNIVERSITY**

MONTANA STATE HOSPITAL
  See also **MENTAL ILLNESS OR INCAPACITY**
Abandonment, discontinuance, or moving of institution — consent of legislature required, 53-1-202
Alcohol or drug addiction, See **CHEMICAL DEPENDENCY**
Budget transfers between institutions, 53-20-214
Center for the Aged, transfers of patients to or from, 53-21-411, 53-21-412
Developmental disabilities community services, funding transfers to, 53-20-214
Function, 53-21-601
Funding, 53-20-214
Institutional industries for patients, Title 53, chapter 1, part 3
"Institution" defined, 53-1-101
Location, 53-21-601
Patients
  drugs or alcohol, supplying to — unlawful, 53-1-103
  employment of, 53-21-162, 53-21-167, 53-21-168
  escape or removal without permission, assistance unlawful, 53-1-102
  geriatric, preference to community nursing home treatment, 53-21-401, 53-21-402
  transfers to other institutions, 53-1-203, 53-21-411, 53-21-412
Payment for care, Title 53, chapter 1, parts 4 and 5
Research programs, participation and cooperation in, 53-1-206
Role and mission, 53-21-601
Superintendent, authority, 53-1-204
Transfers to other institutions, 53-1-203, 53-21-411, 53-21-412
Work programs for patients, Title 53, chapter 1, part 3

MONTANA STATE LIBRARY COMMISSION
  See **LIBRARIES, State Library Commission**

MONTANA STATE LOTTERY ACT OF 1985, Title 23, chapter 7
  See **LOTTERY, STATE**

MONTANA STATE PRISON
  See **PRISONS AND PRISONERS, State prison**

MONTANA STATE UNIVERSITY
  See also **UNIVERSITY SYSTEM**, generally
Agricultural Experiment Station, 20-1-101
  agricultural chemical ground water protection research programs, 80-15-107
  agriculture, department of — cooperation by, 80-1-102
  appropriations, unexpended — reversion, 17-7-304
  budget provisions, 17-7-102
  commercial feeds, chemical analyses performed by, 80-9-301
  commercial fertilizers
    assessments, allocation to, 80-10-104
    samples, analyses, and inspections — cooperation, 80-10-206
  crop weed management research grants, 80-7-814
  director
    agricultural seeds, analysis and tests, 80-5-108
    appointments by, 2-15-1516
    commercial fertilizer or soil amendment products, value data — acceptability of investigators, 80-10-201
    donations, acceptance, 20-25-230
    duties, 20-25-223
    fertilizer advisory committee, meetings with, 80-10-106
    grants and studies, authority, 20-25-231
    research centers, supervision, 20-25-224
    seed laboratory, direction, 20-25-229
    wool laboratory, direction, 20-25-227
  donations, acceptance, 20-25-230
  establishment, 20-25-222
  federal funds, 20-25-226
  federal grants and agreements, 20-25-231
  funds for, 80-7-814, 80-10-104
  gifts, 20-25-230
  income from sale of products, disposition, 20-25-232
  purpose, 20-25-222
  reports required, 80-7-508, 80-7-814
  research and testing facilities, 20-25-222
  research centers, 20-25-224
  seed laboratory, 20-25-229, 80-5-108 — 80-5-111
  seeds, agricultural
    analysis and testing, fee recommendations, 80-5-110
    rules regarding, 80-5-112
  soil survey and mapping program, standards, 76-11-203
  supervision and control, 20-25-301
  sustainable agriculture research and education, duties, 20-25-235, 20-25-236
  transportation, department of — advice regarding seeding practices, 60-2-208
  wool laboratory, 20-25-227, 20-25-228
Agricultural land valuation schedules, advisory committee, 15-7-201
Agricultural marketing associations, marketing survey for, 35-17-201

MONTANA STATE UNIVERSITY (Continued)

Agricultural research centers, establishment, 20-25-224
Agriculture, Dean of
  pork research and marketing committee, member, 2-15-3103
  wheat and barley committee, member, 2-15-3002
Agriculture, Department of — cooperation by, 80-1-102
Appropriations, unexpended — reversion, 17-7-304
Architecture, School of — representation on board of architects, 2-15-1871
Budget provisions, 17-7-102, See **BUDGET AND BUDGETING**
Conservation education courses, 20-25-104
Construction program, 20-25-431 — 20-25-434
Cooperative Extension Service, See **COOPERATIVE EXTENSION SERVICE**
County Commissioners, Board of — agreements with, 7-21-3203
Defined, 20-1-101
Designation, 20-25-201, 20-25-221
Experimental farms, 20-25-225
Federal funds, 20-25-226, 20-25-228, 20-25-231, 20-25-424, 20-25-432
Fertilizer Advisory Committee, Title 80, chapter 10
Forestry services, funding, 76-13-415
Funds, receipt of, 17-2-131, 20-25-424
Genetic engineering technology research and development, 17-2-131
Gifts, 20-25-230, 20-25-431
Land-grant university, designation as, 20-25-221
Legislative intern program, Title 5, chapter 6
Local Government Center, purpose and funding, 20-25-237
President
  agricultural experiment station, supervision, 20-25-223
  cooperative extension service, federal funds, 20-25-226
Purpose, 20-25-221
Research centers, establishment, 20-25-224
Research programs, 20-25-221, 20-25-225
Seed certification duties, Title 80, chapter 5, part 3
Seed Laboratory, 20-25-229, 80-5-108 — 80-5-111
Student building fees, 20-25-401
Treasurer, 20-25-226, 20-25-424
Veterinary medicine, duties, 37-18-104
Wool Laboratory, 20-25-227, 20-25-228

MONTANA STRIP AND UNDERGROUND MINE RECLAMATION ACT, Title 82, chapter 4, part 2
  See **MINES AND MINING, Strip and underground mining, coal and uranium — operation**

MONTANA SUBDIVISION AND PLATTING ACT, Title 76, chapter 3
  See **SUBDIVISIONS**

MONTANA SUSTAINABLE AGRICULTURE RESEARCH AND EDUCATION ACT, 20-25-233 — 20-25-236

MONTANA TAXPAYER BILL OF RIGHTS, 15-1-221 — 15-1-223

MONTANA TELECOMMUNICATIONS ACT, Title 69, chapter 3, part 8
  See **TELECOMMUNICATIONS**

MONTANA TIMESHARE ACT, Title 37, chapter 53
  See **TIMESHARES**

MONTANA TRUTH IN LABELING ACT FOR ORGANIC FOODS, 50-31-221 — 50-31-223, 50-31-231
  See **FOOD AND FOOD PRODUCTS, Organic foods, labeling**

MONTANA UNDERGROUND STORAGE TANK INSTALLER LICENSING AND PERMITTING ACT, Title 75, chapter 11, part 2
  See **HAZARDOUS WASTES, Underground storage tank installers; Underground storage tanks**

MONTANA UNFAIR TRADE PRACTICES AND CONSUMER PROTECTION ACT OF 1973, Title 30, chapter 14, part 1
  See **TRADE REGULATION AND COMPETITION, Unfair practices**

MONTANA UNIFIED VOLUME CAP BOND ALLOCATION PLAN ACT, Title 17, chapter 5, part 13
  See **BONDS AND BOND ISSUES, Volume cap bonds**

MONTANA UNIFORM DISTRICT COURT RULES, Const., VII, 2; Title 25, chapter 19
  See **DISTRICT COURTS**, generally

MONTANA UNIFORM TRANSFERS TO MINORS ACT, Title 72, chapter 26
  See **TRUSTS, Minors, transfers to**

MONTANA VARIABLE CONTRACT LAW, Title 33, chapter 20, part 6
  See **INSURANCE, LIFE, Variable contracts**

MONTANA VETERANS' HOMES
  See **VETERANS**

MONTANA-WESTERN CANADIAN PROVINCES BOUNDARY ADVISORY COMMITTEE
  See **CANADA, Boundary Advisory Committee, Montana-Western Canadian Provinces**

MONTANA WHEAT AND BARLEY COMMITTEE, 2-15-3002; Title 80, chapter 11, part 2
  See **AGRICULTURAL COMMODITIES, Wheat and barley research and marketing**

MONTANA WOOL LABORATORY
  See **MONTANA STATE UNIVERSITY, Wool Laboratory**

MONTANA YOUTH COURT ACT, Title 41, chapter 5
  See **YOUTH COURT**

MORTGAGES
  See also generally **DEEDS AND CONVEYANCES; LIENS; PLEDGES; TRUST INDENTURES**
Acknowledgment
  defeasance, instrument of, 71-1-209
  future advances, notice, 71-1-206
  power of attorney, 71-1-102
  real property, 71-1-207, 71-1-210
  satisfaction, certificate of, 71-1-211, 71-1-212
Adverse possession, 71-1-109, 71-1-230
Affidavit for renewal, 71-1-210
Agricultural associations
  creation by, 35-16-404 — 35-16-406
  member withdrawal, effect, 35-16-303

MORTGAGES (Continued)

Agricultural land, foreclosed — disposal, right of immediately preceding owner, 25-13-901 — 25-13-904
Agricultural loan authority program, income from, 80-12-302
Alcoholic beverage license subject to, when, 16-4-204, 16-4-403, 16-4-404
Assignment
  debt carries security, 71-1-110
  discharge
    accompanied by assignment, when, 71-1-213
    certificate, nonissuance — effect, 71-1-212
  foreclosure of purchase money mortgage, 71-1-232
  indexes, 7-4-2619
  notice, 71-1-207
  recordation, 7-4-2618, 30-9-405, 70-21-304, 71-1-207
    defect, 70-21-310
  renewal by assignee, 71-1-210
  satisfaction by assignee, 71-1-211
  security, transfer with debt, 71-1-110
Attachment unavailable when property secured by, 27-18-101
Attorneys' fees, 25-10-302, 71-1-233, 71-1-234
Banks and trust companies
  assets and property of
    liquidating agent, by, 32-1-507
    security for deposit, as, 32-1-447
  authorization to make loan, 32-1-430
  federal housing administrator, mortgages secured by, 32-1-435
  real estate purchases by, mortgages in, 32-1-423
  reserve funds, handling, 71-1-113 — 71-1-115
Beer brewers, importers, or wholesalers — financial interest in retailers when, 16-3-242
Breach
  adverse possession by mortgagee, 71-1-230
  discharge or release, certificate of — failure to execute and deliver, 71-1-212
  foreclosure, remedy, 71-1-222, 71-1-223
  power of sale, 71-1-111, 71-1-222
Building and loan associations
  interest, 32-2-403
  payment, distribution and allowable charges, 32-2-403
  power to encumber, 32-2-401
  reserve funds, handling, 71-1-113 — 71-1-115
Chattel mortgages, 30-9-102, 71-1-112, See **Personal property**; **SECURED TRANSACTIONS**
Child support payments, delinquent — to secure, 40-4-209
Cities and towns, powers, 7-1-4124
Condominiums
  priority, 70-23-607
  release upon first conveyance, 70-23-602
Conflict of laws, 71-1-112
Contract, mortgage as, 71-1-101
Conveyance
  absolute, 71-1-209
  condominiums, release upon first conveyance, 70-23-602
  creation of mortgage, 71-1-107
  defined as, 70-21-301
  exclusion from provisions, 71-1-202
  notice, as, 70-21-302
  title, after acquired — inures to mortgagee, 71-1-108

MORTGAGES (Continued)
Conveyance (Continued)

- trust property, See **TRUSTS, Mortgages; Transfer** entries
- **Coordinate systems**, reliance on not required, 70-22-209
- **Corporate assets**, 35-1-115, 35-1-822, 35-1-1026
- **Counties**
  - abandonment, records, 7-2-2724
  - new, records, 7-2-2224
- **Creation of mortgage**, 71-1-107, 71-1-201
  - adverse possession, 71-1-109
  - form, 71-1-204
  - transfer, by, 71-1-107
  - writing required, 71-1-203
- **Damage prohibited**, 71-1-106, 71-1-227
- **Debts**
  - assignment carries security, 71-1-110
  - due dates, multiple, 71-1-226
  - enforcement, 71-1-222, See also **Foreclosure**
  - existing or future security, 71-1-201
  - future advances, 71-1-206
  - recovery, 71-1-222, See also **Foreclosure**
  - satisfaction, 71-1-211
  - simultaneously created, 71-1-201
- **Defeasance**
  - recordation, effect, 71-1-209
  - transfer, subject to, 71-1-107, See also **Conveyance**
- **Deficiency judgments**, 71-1-222, 71-1-232
- **Definitions**
  - foreclosure, 71-1-221
  - mortgage, 1-1-205, 30-1-201, 71-1-101, 71-1-103, 71-1-107, 71-1-321, 90-5-101, 90-6-103, 90-6-503
  - security, 71-1-201
- **Development projects or bonds**, 90-5-105
- **Discharge**, 71-1-211, 71-1-212, See also **Satisfaction**
  - condominiums, upon first conveyance, 70-23-602
  - mortgagee, other than, 71-1-213
  - recording and index, 7-4-2613, 7-4-2619
- **Drainage districts**, effect on payment of damages, 85-8-364
- **Enforcement of right secured by**, See **Foreclosure**
- **Estates and probate**, See **ESTATES AND PROBATE**
- **Evidence**, 71-1-207
  - transfer subject to defeasance, 71-1-107
- **Execution**, redemption upon sale, 25-13-801
- **Extension of mortgage**, 71-1-203
- **Factors**, authority, 30-11-606
- **Federal agencies**, mortgages secured by
  - federal housing administrator, 32-1-435
  - national housing act loans, 32-2-501 — 32-2-503
  - servicemen's readjustment act of 1944, 32-2-420
- **Federal mortgage corporations**, bank investments in, 32-1-422
- **Filing**, See **Recordation**
- **Fire hazards**, demolition of structure — salvage sale surplus, payment, 50-62-107
- **Foreclosure**, 71-1-221, 71-1-222
  - agricultural land, disposal — right of immediately preceding owner, 25-13-901 — 25-13-904
  - appeal, supersedeas bond, Title 25, chapter 21, M.R.App.P., Rule 7
  - attorneys' fees, 25-10-302, 71-1-233

MORTGAGES (Continued)
Foreclosure (Continued)

- breach of obligation, after, 71-1-223
- deficiency judgment, 71-1-222, 71-1-232
- execution exemptions which are inapplicable, 25-13-613
- health facility authority bonds, mortgages securing, 90-7-304
- industrial development project bonds, mortgages securing, 90-5-105
- injunction when, 71-1-227
- multiple due dates, 71-1-226
- partial foreclosure, 71-1-226
- parties to action, 71-1-222
- possession, 71-1-202, 71-1-221, 71-1-229
- realty transfer certificate exemption, 15-7-307
- receiver, appointment, 27-20-102
- sale, 71-1-222, 90-5-105, 90-7-304, See also **Sale**
- secured transactions, applicability of laws, 30-9-508
- service of process by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D
- unknown parties defendant, 25-3-504
- venue, 25-2-123
- waiver of rights not allowed, 71-1-229
- waste during, prohibited, 71-1-227

Foreign corporations, power, 35-1-1026, 35-2-820, 35-18-107
Form, 71-1-204
Future advances, 71-1-206
Grain held in terminal warehouse not subject to, 80-4-530
Grazing districts, 76-16-323, 76-16-405
Health Facility Authority bonds, security, 90-7-304
Home equity conversion, 90-6-501 — 90-6-507
Hospital district notes secured by, 7-34-2131
Housing authorities, See **HOUSING AUTHORITIES, MUNICIPAL**
Housing, Board of — powers, 90-6-104
Impounded funds for taxes and insurance, 71-1-113 — 71-1-115
Indebtedness, total amount — statement, 71-1-206
Indexes, 7-4-2619
Industrial development projects, 90-5-101, 90-5-105
Industrial infrastructure development bonds, payment, 7-15-4301
Injunctions, 71-1-227
Institutional funds, investment in, 72-30-204
Insurance

- credit life and disability, nonapplicability, 33-21-102
- loss or damage, against, See **SURETYSHIP AND SURETIES, Surety insurance**

Insurers, held by, See **INSURERS ORGANIZATION AND REGULATION GENERALLY**
Interests in property, transfer, 71-1-107
Investments, Board of — purchase of mortgage loans, 17-6-211
Irrigation districts

- creation, consent of mortgagee for, 85-7-101
- sale or transfer of lands by, 85-7-2167
- undertakings, security interest, 85-7-1434

Judgments, deficiency, 71-1-222, 71-1-232
Land division created as security for, subdivision exemption provision, 76-3-201
Leases, 30-2A-103, 30-9-105

- construction mortgage
  - defined, 30-2A-103, 30-2A-309
  - fixtures, lessor's and lessee's rights when goods become, 30-2A-309
- "purchase" defined, 30-2A-103

Lien, mortgage as, 71-1-103
Limited liability companies, 35-8-107, 35-8-1001

MORTGAGES (Continued)

Livestock, taking possession under, 81-8-312
Mausoleum and columbarium authorities, 35-21-202, 35-21-407
Mint and mint oil, 80-11-402, 80-11-412 — 80-11-414
Montana Developmental Center facility, loan secured by, 90-7-220
Mortgagee
  deficiency judgment not allowed, 71-1-232
  obligations, discharge certificate, 71-1-211
  personal representative as, 71-1-213
  power of sale, 71-1-111, 71-1-223
  reverse annuity mortgage loans, 90-6-501 — 90-6-507
  rights
    future advances, 71-1-206
    possession, not entitled, 71-1-105, 71-1-230
    sale, 71-1-111
    waste prohibited, 71-1-106
Mortgagor
  insurance policy, copy to — when, 33-15-412
  obligations, 71-1-104, 71-1-111
  redemption, right of, 25-13-801, 71-1-230, 71-1-231
  reverse annuity mortgage loans, 90-6-501 — 90-6-507
  right to certificate of discharge, 71-1-212
Motor vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, **Security interests**
National Housing Act loans, 32-2-501 — 32-2-503
Negotiability not affected, 71-1-235
Negotiable instrument secured by, 71-1-235
Nonprofit corporations, power, 35-2-118, 35-2-616
Notaries public, certification, 1-5-416
Notice
  assignment, 71-1-207
  attorneys' fees, 71-1-234
  conveyance as, 70-21-302
  foreclosure sale, 71-1-224
  future advances, 71-1-206
  subordination or waiver agreements, 71-1-208
Parking commission revenues, funds, or property, 7-14-4643, 7-14-4656, 7-14-4664, 7-14-4666
Partition, as security for sales, 70-29-306
Personal obligations, 71-1-104
Personal property
  pledge of, mortgage as, 71-1-107
  uniform commercial code, applicability, 30-9-102, 71-1-112
Personal representative of mortgagee, 71-1-213
Pledge, mortgage as, 71-1-107
Possession of property
  adversely held, 71-1-109, 71-1-230
  change, 71-1-101, 71-1-107
  conveyance for, prohibited, 71-1-202
  foreclosure, purchaser's right to, 71-1-229, See also **Foreclosure**
  independent of mortgage, 71-1-103, 71-1-105
  occupant, rights during foreclosure and redemption, 71-1-229, See also **Foreclosure**; **Redemption**
  recovery, 71-1-202
  secured transactions, applicability of laws, 30-9-508
  transfer of title, 71-1-108

MORTGAGES (Continued)

Power of attorney, 71-1-102, 71-1-213
  statutory, authority, 72-31-223 — 72-31-225
Preexisting mortgages, validation, 70-21-310
Premarital agreements, rights of parties, 40-2-605
Principal and income, determination, 72-34-416
Priority
  condominium, upon, 70-23-607
  future advances, 71-1-206
  liens, 70-23-607, 71-1-205, 71-3-114, 71-3-542, 71-3-804, 71-3-904, 71-3-1007
  mausoleum-columbarium property dedication, 35-21-407
  purchase money mortgage, 71-3-114
  reverse annuity mortgage, 90-6-505
Professional corporations, power, 35-4-401
Prohibited acts
  deficiency judgment after foreclosure, when, 71-1-232
  discharge, nonissuance of certificate, 71-1-212
  recovery of possession without foreclosure, 71-1-202
  redemption, waiver of rights, 71-1-229
  warehouse receipt, negotiation when mortgaged, 30-7-706
  waste, 71-1-106, 71-1-227
Promissory note secured by, 71-1-235
Proof, transfer subject to defeasance, 71-1-107
Public fund deposits, security for, 17-6-103
Purchase money mortgages, 71-1-232, 71-3-114
Purchase, mortgage as, 30-1-201, 30-2A-103
Purchaser, rights of, 71-1-107
Railroad corporations, by, 69-14-507, 69-14-556
Railroad rehabilitation revenue bonds, to secure, 60-11-1106, 60-11-1206
Recordation, 7-4-2613, 7-4-2618, 7-4-2619, 70-21-202, 71-1-207, See also **DEEDS AND CONVEYANCES, Recording of transaction**
  addresses required on documents, 7-4-2618
  assignment, certification, 7-4-2618, 7-4-2619, 71-1-207
  books to be separate, 70-21-211
  defeasance, 71-1-209
  defect, 70-21-310
  discharge, 7-4-2613, 7-4-2619, 71-1-211
  first recorded voids subsequent recordings, 70-21-304
  future advances, 71-1-206
  indexes, 7-4-2619
  lien, effect on mortgage, 71-1-222
  notice, See **Notice**
  personal representative, 71-1-213
  provisions located, 70-21-202
  race to courthouse, 70-21-304
  renewal, 71-1-210
  satisfaction, 71-1-211
  search of records, 7-4-2621
  security interest attached, 30-9-401, 30-9-403 — 30-9-406
  separate books, 7-4-2613, 7-4-2619, 70-21-211
  subordination agreements, 71-1-208
  title search, 7-4-2621
  trust deeds, 71-1-321
  waiver agreements, 71-1-208
Redemption
  action for, 71-1-230, 71-1-231

MORTGAGES (Continued)
Redemption (Continued)

- execution sale, upon, 25-13-801, 25-13-809
- foreclosure, rights during, 71-1-228
- multiple mortgagors, profits shared, 71-1-231
- papers required, 25-13-809
- possession during, 71-1-229
- procedure, See **EXECUTION, Redemption**
- service of process by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D

Religious corporations, power, 35-3-205
Remedies, limitations, 71-1-235
Renewable resource grant and loan projects, 85-1-615
Renewal, 71-1-203, 71-1-210
Rents and profits, mortgagor entitlement, 71-1-231
Reserve funds for taxes and insurance, 71-1-113 — 71-1-115
Reverse annuity mortgage loans, 90-6-501 — 90-6-507
Sale, 71-1-222, 71-1-223, See also **Foreclosure**

- notice, 71-1-224
- partial foreclosure, 71-1-226
- power of
  - attorneys' fees, 71-1-234
  - breach, exercise upon, 71-1-111, 71-1-223
  - possession recovered, 71-1-202
- redemption rights during, 71-1-228, See also **Redemption**
- surplus proceeds, 71-1-225

Satisfaction, See also **Discharge**

- acknowledgment, 71-1-212
- mortgagor's right to demand, 71-1-206
- recordation, 71-1-211
- tax delinquencies, lien of tax — filing for, 15-16-402

Search of records, 7-4-2621
Secured transactions, applicability of laws, 30-9-508
Security, 71-1-201

- divisibility, 71-1-226, 71-1-231
- grant of property, 71-1-103
- impairment, 71-1-106
- multiple due dates, 71-1-226
- multiple mortgagors, 71-1-231
- negotiable instrument, for, 71-1-235
- partition sales, for, 70-29-306
- title, subsequently acquired, 71-1-108
- transfer, 71-1-107
- waste prohibited, 71-1-106, 71-1-227

Ship Mortgage Act, 1920 — security interest subject to, 30-9-104
Solid waste management systems, 75-10-112
Special lien, mortgage as, 71-1-103
State lands

- cabinsite sales, purchase, 17-6-207
- lessees, mortgage of leasehold interest, See **STATE LANDS**, **Surface leases**, pledges and mortgages of interests

Subordination agreements, 71-1-208
Surety insurance, See **SURETYSHIP AND SURETIES**
Table wine distributors, financial interest in retailers when, 16-3-406
Tax delinquencies, effect of lien of tax and filing of satisfaction, 15-16-402

- redemption by mortgagor, 15-18-111
- tax deeds, interested parties, 15-18-111, See **TAXATION, PROPERTY**, **Tax deeds**

Tax exempt status of mortgage-secured indebtedness, 15-6-201, 15-6-204

MORTGAGES (Continued)

Termination, 71-1-210
Title
  acquisition after execution, 71-1-108
  insurers, guaranteeing payment prohibited, 33-25-213
  search, 7-4-2621
Transfers, See **Conveyance**
Trust indentures
  exceptions to mortgage provisions, 71-1-224, 71-1-228, 71-1-234
  mortgage, as, 71-1-305, 71-1-321
  statute of limitation, applicability of mortgage provisions, 71-1-311
Trust property, 72-34-318
Uniform Commercial Code, applicability, 30-9-102, 71-1-112
Urban renewal bonds, payment, 7-15-4301, 7-15-4322
Utilities, rural cooperatives — power, 35-18-106, 35-18-107
  assets, 35-18-317
Validation, 70-21-310
Waivers
  agreement, 71-1-208
  possession, prohibited, 71-1-229
Warehouse receipts, negotiation when mortgaged unlawful, 30-7-706
Waste prohibited, 71-1-106, 71-1-227
Water conservancy districts, directors' power, 85-9-406
Water development projects, 85-1-202, 85-1-308
Wineries, financial interest in retailers when, 16-3-406

MORTICIANS AND FUNERAL DIRECTORS
Autopsies
  liability, 46-4-104
  mortuary, conducted at, 46-4-103
Board of Funeral Service, 2-15-1853; Title 37, chapter 19, part 2
Burial, See also **DEATH, Burial**
  county coroner, by, 35-20-209
  permits, 50-15-114, 50-15-406, 50-21-102
  preparation of bodies, 37-19-101, 50-21-105
  violations concerning, 37-19-311
Cemeteries, See **CEMETERIES**
Cemetery associations, See **CEMETERIES**
Continuing education requirements, 37-19-316
Cosmetology, applicability of provisions, 37-31-102
Cremation, Title 37, chapter 19, part 7, See **CREMATORIUMS AND CREMATORY OPERATORS**
Criminal investigations, liability for autopsies, 46-4-104
Death certificates, 50-15-403
  certified copies, 50-15-112
  "person in charge of interment" defined, 50-15-101
Definitions, 37-19-101, 61-1-413 — 61-1-415
Disclosure of funeral costs and need for embalming, 37-19-315
Disinterment permits, 50-15-114, 50-15-407
Disturbance of funerals or interment, 35-21-704
Embalming, 37-19-101
  anatomical gift or organ donation, effect, 72-17-301
  information concerning, disclosure, 37-19-315
Fines, 37-19-311
Fraudulent practices, 37-19-311
Freedom of choice, 37-19-311

MORTICIANS AND FUNERAL DIRECTORS (Continued)

Funeral directors
  continuing education requirements, 37-19-316
  cremated human remains, liability, 35-21-304
  funeral directing, 37-19-101
    license required, 37-19-301
    violations, 37-19-311, 37-19-404
  insurance producer, as — license prohibited, 33-17-211
  licenses, See **Licenses, funeral directors**
  life insurers, prohibited relationships, 33-18-301
  mausoleum and columbarium records, 35-21-502
  processions, liability, 61-8-384
Funeral expenses
  casualty insurance benefits, 33-1-206
  crime victims reparation benefits, 53-9-128
  disclosure to customers, 37-19-315
  estate of decedent
    augmented estate, effect on valuation, 72-2-222
    claim against
      inclusion of funeral expenses, 72-1-103
      priority for payment, 72-3-807
    inheritance taxes, effect of expenses on valuation, 72-16-308, 72-16-802
    principal and income determinations on income and expenses incurred during administration, 72-34-404, 72-34-406
    small estate, 72-3-1103, 72-3-1104
  fire department relief association benefits, 19-18-203, 19-18-601
  fraternal benefit society benefits, 33-7-521
  indigent persons, reimbursement, 40-6-301, 53-2-804
  insurance for, 33-18-301
    benefits, 33-1-206, 33-7-521, 33-20-1207
  liability insurance benefits, 33-1-206
  life insurance group benefits, 33-20-1207
  occupational disease benefits, 39-72-705
  veterans, Title 10, chapter 2, part 5, See **VETERANS, Burial**
  volunteer firefighters' compensation benefits, 19-17-505, 19-17-506
  workers' compensation benefits, 39-71-725, 39-71-907
Funeral plans, prearranged, 37-19-101, 72-37-101 — 72-37-103
Funeral processions, 61-1-413 — 61-1-415
  authorized emergency vehicles, right-of-way, 61-8-380, 61-8-383
  driving in, 61-8-382
  escort vehicle, 61-1-413, 61-8-380
  equipment requirements for vehicles, 61-8-381
  following too closely, nonapplicability, 61-8-329, 61-8-382
  hearses, 61-1-414, 61-9-405
  intersections, 61-8-380, 61-8-383
  lead vehicles, 61-1-414, 61-8-380
  liability, 61-8-384
  lights, requirements, 61-8-381, 61-8-382
  negligence, 61-8-384
  right-of-way, 61-8-380, 61-8-383
  speed limit, 61-8-382
  traffic-control devices, obedience to — exceptions, 61-8-201, 61-8-380, 61-8-383
  vehicles not in procession, 61-8-329, 61-8-380, 61-8-383
Funerals
  anatomical gifts, effect, 72-17-301
  costs, See **Funeral expenses**

MORTICIANS AND FUNERAL DIRECTORS (Continued)
Funerals (Continued)
  disturbance, 35-21-704
  escort vehicles, 61-1-413, 61-8-380
  freedom of choice in services or merchandise, 37-19-311
  hearses, 61-1-414, 61-9-405, See **Funeral processions**
  insurance for, 33-18-301
  interference with, 35-21-704
  lead vehicles, 61-1-414, 61-8-380, See **Funeral processions**
  motorcades, 61-8-329, See **Funeral processions**
  obstructions, 35-21-704
  organ donations, effect, 72-17-301
  personal representative's authority, 72-3-601
  prearranged plans, 37-19-101, 72-37-101 — 72-37-103
  processions, See **Funeral processions**
  supervision, 37-19-101
Hearings, 37-19-312
Hearses, 61-1-414, 61-9-405
Indigents, optional county programs, 40-6-301, 53-2-804
Inspections, 37-19-402, 37-19-403
Insurance
  funeral insurance, 33-18-301
  insurance producer, as — license prohibited, 33-17-211
Insurers, life — prohibited relationships, 33-18-301
Interference with funerals or interment, 35-21-704
Interns' licenses, 37-19-302, 37-19-304, 49-3-204
Liability
  autopsies in criminal investigations, 46-4-104
  cremation after deposit of remains, 35-21-304
  funeral processions, 61-8-384
Licenses, funeral directors, 37-19-301
  continuing education requirements, 37-19-316
  discrimination in issuance prohibited, 49-3-204
  fine for violations, 37-19-311
  fraud, obtaining by, 37-19-311
  refusal, suspension, or revocation, 37-19-301, 37-19-311, 37-19-312
  renewal, 37-19-301
  required, 37-19-301, 37-19-402
Licenses, interns, 37-19-302, 37-19-304, 49-3-204
Licenses, morticians
  applications, 37-19-302, 37-19-303, 37-19-311
  continuing education requirements, 37-19-316
  discrimination in issuance prohibited, 49-3-204
  examinations, 37-19-302 — 37-19-305, 37-19-311
  fees, 37-19-303, 37-19-306
  fine for violations, 37-19-311
  fraud, obtaining by, 37-19-311
  interns, 37-19-302, 37-19-304, 37-19-305
  nonresidents, 37-19-305
  qualifications, 37-19-302, 37-19-305
  reciprocity, 37-19-305
  refusal, suspension, or revocation, 37-19-306, 37-19-311, 37-19-312
  renewal, 37-19-306
  required, 37-19-302, 37-19-402
Licenses, mortuaries
  applications, 37-19-402
  discrimination in issuance prohibited, 49-3-204

MORTICIANS AND FUNERAL DIRECTORS (Continued)
Licenses, mortuaries (Continued)

- display, 37-19-401
- expiration, 37-19-401
- fees, 37-19-401, 37-19-404
- issuance, 37-19-402
- operator's license required, 37-19-402
- renewal, 37-19-401, 37-19-404
- required, 37-19-401
- suspension or revocation, 37-19-404
- transfer, 37-19-402

Mausoleums and columbariums
- cremated human remains, liability, 35-21-304
- records, 35-21-502

Medical schools, arrangements for burial of bodies, 50-21-102
Morticians, 37-19-101
- board of funeral service, appointments to, 2-15-1853
- continuing education requirements, 37-19-316
- cremated human remains, liability, 35-21-304
- education requirements, 37-19-302, 37-19-316
- funeral processions, liability, 61-8-384
- insurance producer, as — license prohibited, 33-17-211
- internship, 37-19-302, 37-19-304, 37-19-305
- licenses, See **Licenses, morticians**
- life insurers, prohibited relationships, 33-18-301
- removal of body from place of death, authorization, 50-15-405

Mortuaries, 37-19-101
- autopsies conducted at, 46-4-103
- corpses released to, 7-4-2915
- fraternal benefit societies, operation by — prohibited, 33-7-210
- funeral costs, disclosure, 37-19-315
- inspections and fee, 37-19-402, 37-19-403
- licensing, See **Licenses, mortuaries**
- life insurers, prohibited relationships, 33-18-301
- maintenance, 37-19-101
- standards, 37-19-402, 37-19-403
- violations, 37-19-404

Mortuary science, practice of, 37-19-101
- cosmetology, applicability of provisions, 37-31-102
- license, without — prohibited, 37-19-301, 37-19-302
- violations, 37-19-311, 37-19-404

Motorcades, 61-8-329, See **Funeral processions**
Negligence, 61-8-384
Nonresident morticians, 37-19-305
Obstruction of funerals or interment, 35-21-704
Penalties
- license renewal fees
  - failure to pay, 37-19-306, 37-19-404
  - late renewal, 37-19-401
- violations, for, 37-19-501

Prearranged funeral plans, 37-19-101, 72-37-101 — 72-37-103
Prohibited practices, 37-19-311
Supervision of
- funerals, 37-19-101
- interns, 37-19-302, 37-19-304

Transportation of bodies, 37-19-101, See also **Funeral processions**
- permits, 50-1-202, 50-15-114

MORTICIANS AND FUNERAL DIRECTORS (Continued)

Trusts, prearranged funeral plans, 37-19-101, 72-37-101 — 72-37-103
Unprofessional conduct, 37-19-311
Violations
  fine, 37-19-311
  funerals or interment — interference, obstruction, or disturbance, 35-21-704
  licenses refused, revoked, or suspended for, 37-19-311, 37-19-404
  penalty, 37-19-501

MOSQUITO CONTROL DISTRICTS, Title 7, chapter 22, part 24
  See **PESTS AND PESTICIDES**

MOTION PICTURES
  See also **INSURANCE, CASUALTY**, generally; **THEATERS**; **TRADE REGULATION AND COMPETITION**
Film, flammable — fire prevention and safety rules, 50-3-103
Filming, property used for, 15-6-215, 15-24-305, 61-3-301, 61-3-507, 61-3-520
Funding for in-state production, 15-65-121
Motion Picture Fair Trade Practices Act, Title 30, chapter 14, part 3, See **TRADE REGULATION AND COMPETITION**
Obscene material, public display or dissemination to minors, 45-8-201, 45-8-205 — 45-8-208

MOTIONS AND ORDERS
  See also **CIVIL PROCEDURE, Notice**; **Process**; specific subject area
Affidavits on, 26-1-1002; Title 25, chapter 20, M.R.Civ.P., Rule 43(e)
Affidavits supporting, service, Title 25, chapter 20, M.R.Civ.P., Rule 6(d); Title 25, chapter 24, M.U.R.J.C.C., Rule 5
Allowed, Title 25, chapter 20, M.R.Civ.P., Rule 7(b)
Appeal of
  civil, 25-12-101; Title 25, chapter 21, M.R.App.P., Rule 1, See **APPEALS, CIVIL**
  criminal, 46-20-101; Title 25, chapter 21, M.R.App.P., Rule 1, See **APPEALS, CRIMINAL**
  supreme court powers and duties, 3-2-204
Appeal, on, See **APPEALS, CIVIL**; **APPEALS, CRIMINAL**
Application for order to be by motion, Title 25, chapter 20, M.R.Civ.P., Rule 7(b); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 9A; Title 25, chapter 24, M.U.R.J.C.C., Rule 5
Arbitration, applications to court — applicability of laws, 27-5-321
Arrest warrant an order, 46-1-202, See **ARREST, Warrants**
Briefs to support, Title 25, chapter 19, M.U.Dist.Crt.Rule 2; Title 25, chapter 24, M.U.R.J.C.C., Rule 5
Change of venue, motion for, Title 25, chapter 20, M.R.Civ.P., Rule 12(b); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
City courts, See **CITY COURTS**
Clerical mistakes, Title 25, chapter 20, M.R.Civ.P., Rule 60(a)
Conclusive, effect of order when, 26-3-201
Consolidation, Title 25, chapter 20, M.R.Civ.P., Rule 12(g)
Contempt to be charged when, 3-1-501 — 3-1-503, 3-10-401, 3-11-303, 45-7-309
Corporations, derivative proceedings, 35-1-545, 35-1-547
Costs, 25-10-202
Counties, new — transfer of actions affecting real property, 7-2-2411
Courts always open, Title 25, chapter 20, M.R.Civ.P., Rule 77(a)
Criminal Code, effect on court's power to enforce, 45-1-104
Defects, Title 25, chapter 20, M.R.Civ.P., Rules 60, 61
Defenses presented by, Title 25, chapter 20, M.R.Civ.P., Rule 12(b)
Definite statement of claim, for, Title 25, chapter 20, M.R.Civ.P., Rule 12(e)
Denial, reapplication as contempt, 3-1-502, 3-1-503
Discovery conference, Title 25, chapter 20, M.R.Civ.P., Rule 26(f)

MOTIONS AND ORDERS (Continued)

Dismissal for failure to state a claim upon which relief can be granted, Title 25, chapter 20, M.R.Civ.P., Rules 12(b), 12(h)
Effect, 26-1-601, 26-3-201, 26-3-202
Entry by clerk of the district court, 3-5-501
Errors, Title 25, chapter 20, M.R.Civ.P., Rules 60, 61
Evidence
  motions, Title 25, chapter 20, M.R.Civ.P., Rule 43(e)
  orders, See **EVIDENCE, Orders**
  presumption created by order, 26-1-601, 26-3-202
Exceptions, formal unnecessary, Title 25, chapter 20, M.R.Civ.P., Rule 46
Ex parte, 3-5-311, 3-5-312; Title 25, chapter 19, M.U.Dist.Crt.Rule 3; Title 25, chapter 20, M.R.Civ.P., Rules 5(a), 6(d)
Extension of time, 25-1-301
Extent of order, 3-5-312; Const., VII, 4
Failure to state a claim upon which relief can be granted, Title 25, chapter 20, M.R.Civ.P., Rules 12(b), 12(h)
Final order, effect, 26-3-201
Findings of fact and conclusions of law unnecessary when, Title 25, chapter 20, M.R.Civ.P., Rule 52(a)
Form, Title 25, chapter 20, M.R.Civ.P., Rules 7(b); 11; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 9C, See **PLEADINGS, Form**
Harmless error, Title 25, chapter 20, M.R.Civ.P., Rule 61
Hearing of motion, written notice, Title 25, chapter 20, M.R.Civ.P., Rule 7(b); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 9A
Hours of court, Title 25, chapter 20, M.R.Civ.P., Rule 77(a)
Injunction enforced as order, 27-19-101
Issuance fees, collection, 3-10-222
Judge
  absence, effect, 25-4-101
  chambers, judge's power at, 3-5-311
  disqualification, effect, 25-4-101
  enforcement power, 3-1-402, 3-1-403
  pro tempore, authority of, 3-5-113
  substitution, for, 3-1-804, 25-1-201, 25-10-405
  transfer when unable to hear, 25-4-102
Judgment on the pleadings, for, Title 25, chapter 20, M.R.Civ.P., Rules 12(c), 12(d), 12(h)
Justices' courts, See **JUSTICES' COURTS**
Mistakes, Title 25, chapter 20, M.R.Civ.P., Rules 60(a), 60(b)
Modification, 25-4-103
More definite statement, for, Title 25, chapter 20, M.R.Civ.P., Rule 12(e)
New trial
  civil, See **CIVIL PROCEDURE, New trial**
  criminal, motion for, 46-16-702
Nonprofit corporations, derivative proceedings, 35-2-1304
Notice, defined as, 25-3-101
Obedience
  court's power to compel, 3-1-111
  disobedience as contempt, 3-1-501, 3-10-401, 3-11-303, 45-7-309
  judge's power to compel, 3-1-402, 3-1-403
  parties, when in behalf of persons not parties, Title 25, chapter 20, M.R.Civ.P., Rule 71
Opposition to be in writing, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 9B
Presumption created by, 26-1-601, 26-3-202
Pretrial conferences
  filing and hearing, Title 25, chapter 20, M.R.Civ.P., Rule 16(b)
  order from, Title 25, chapter 20, M.R.Civ.P., Rules 16(c), 16(e)

MOTIONS AND ORDERS (Continued)
Pretrial conferences (Continued)

  subject of, Title 25, chapter 20, M.R.Civ.P., Rule 16(c)
Pretrial motions, criminal, See **CRIMINAL PROCEDURE**
Process, defined as, 25-3-101
Publication, 25-3-502, 25-3-503
Reapplication upon refusal as contempt, 3-1-502, 3-1-503
Refusal, reapplication as contempt, 3-1-502, 3-1-503
Relief from order, Title 25, chapter 20, M.R.Civ.P., Rule 60(b)
Review, 25-12-101, 46-20-101, See **APPEALS, CIVIL; APPEALS, CRIMINAL**
Search warrant an order, 46-1-202, See **SEARCH AND SEIZURE, Warrants**
Service, 25-3-501; Title 25, chapter 20, M.R.Civ.P., Rules 4D, 5(a), 6(d); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D; Title 25, chapter 24, M.U.R.J.C.C., Rules 7, 9, See also **CIVIL PROCEDURE, Service of papers not process**
Signing, Title 25, chapter 20, M.R.Civ.P., Rules 7(b), 11; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 9C; Title 25, chapter 24, M.U.R.J.C.C., Rule 7
Stay pending appeal, Title 25, chapter 21, M.R.App.P., Rule 7
Strike, motion to, Title 25, chapter 20, M.R.Civ.P., Rule 12(f), See **PLEADINGS, Strike**
Submitted in district court, when deemed, Title 25, chapter 19, M.U.Dist.Crt.Rule 2
Subpoenas, investigative — for dismissal, 46-4-303
Summons an order, 46-1-202, See **CRIMINAL PROCEDURE**
Territorial extent of order, 3-5-312; Const., VII, 4
Transfer when judge unable to hear, 25-4-102
Trusts
  guardian ad litem, appointment, 72-35-313
  notice, additional, 72-35-207
  removal of trustee or surrender of trust property by trustee, 72-33-618
Vacation, 25-4-103
Venue, 25-4-101
  change of venue, motion for, Title 25, chapter 20, M.R.Civ.P., Rule 12(b); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3C
Verdict, poll of jury, 46-16-604
Workers' compensation court, signing requirements, 39-71-2914
Where may be made, 25-4-101
Youth court
  confidentiality, 41-5-603
  district court, transfer of jurisdiction to, 41-5-206
  posttrial, availability, 41-5-531
  rehearing, request for, 41-5-503
  suspension of proceedings, 41-5-524

MOTOR CARRIERS
  See also **CARRIERS**
Abandonment of service, 69-12-403
Accommodative transportation, nature of, 69-12-105
Accounts
  agreements between carriers, 69-12-601
  regulation, 69-12-201
  rules, 69-12-205
  uniform system, 69-12-407
Advertising, 69-12-106, 69-12-322
Agreements, See also **Contracts**
  between carriers, 69-12-601 — 69-12-605
  brokerage and buy-and-sell, 69-12-101, 69-12-102, 69-12-106
  excess rates, fares, and charges — recovery actions, nonadmissibility, 69-12-511
  interchange of equipment, for, 69-12-612
  interstate or international carriers, cooperative or reciprocal registration, 69-12-103

MOTOR CARRIERS (Continued)

Alcoholic beverages, See **ALCOHOLIC BEVERAGES, Carriers**
Annual report, 69-12-103, 69-12-201, 69-12-407, 69-12-423
Applicability of laws, 69-12-102, 69-12-103
Bills of lading, 69-12-203
Blood testing requirements, 39-2-304
Bonds, filing, 69-12-402
Buildings, transportation of, 69-12-302, 69-12-331
Bus service, provisions for, 69-12-208
Cargo inspections, 44-1-1005, 61-10-141, 69-12-203
Certificate of public convenience and necessity, 69-12-101, 69-12-311 — 69-12-314
    applications, 69-12-311 — 69-12-314, 69-12-321 — 69-12-323
    assignment, 69-12-325
    cancellation when, 69-12-404
    class A carriers, 69-12-311
    class B carriers, 69-12-312
    class C carriers, 69-12-313, 69-12-324
    class D carriers, 69-12-314, 69-12-323, 69-12-407
    competition, consideration for — when, 69-12-323
    contracts, state or federal — effect, 69-12-324
    disallowed without hearing when, 69-12-321
    duration, 69-12-323, 69-12-324
    fees, filing, 69-12-311 — 69-12-313
    hearings, 69-12-321, 69-12-322, 69-12-327
    holders
        compliance with rules, 69-12-402
        equipment, interchange — operation, 69-12-612
        fitness, 69-12-415
        orders, right of review, 69-12-327
        schedules, maintenance, 69-12-501
    issuance, 69-12-314, 69-12-323, 69-12-324, 69-12-402, 69-12-415, 69-12-421
    lease of
        certificate, 69-12-325, 69-12-326
        power equipment, contents of lease, 69-12-611
    livestock, transportation of, 69-12-405
    local government powers, 7-1-111
    protests, 69-12-321, 69-12-322
    renewal, 69-12-324
    revocation or suspension, 69-12-210, 69-12-327, 69-12-422
    safety standards, compliance required, 44-1-1005
    terms and conditions, 69-12-323
    transfer, 69-12-325
Charges
    by, See **Rates, fares, and charges**
    imposed on, See **Compensation**, paid for use of highways; **Fees**
Class A carriers
    certificates, 69-12-311, See also **Certificate of public convenience and necessity**
    classification, 69-12-301, See also **Classification**
    lease of power equipment, 69-12-611, See also **Leases**
    rates, See **Rates, fares, and charges**
    records and reports, 69-12-407, See also **Records and reports**
    schedules, maintenance, 69-12-501
    service, discontinuance or abandonment, 69-12-403, See also **Service**
    waste transportation restrictions and exception, 69-12-406
Class B carriers
    certificates, 69-12-312, See also **Certificate of public convenience and necessity**

MOTOR CARRIERS (Continued)
Class B carriers (Continued)

- classification, 69-12-301, See also **Classification**
- lease of power equipment, 69-12-611, See also **Leases**
- livestock, transportation of, 69-12-405
- rates, See **Rates, fares, and charges**
- records and reports, 69-12-407, See also **Records and reports**
- schedules, maintenance, 69-12-501
- service, discontinuance or abandonment, 69-12-403, See also **Service**
- waste transportation restrictions and exception, 69-12-406

Class C carriers
- certificates, 69-12-313, 69-12-324, See also **Certificate of public convenience and necessity**
- classification, 69-12-301, See also **Classification**
- contracts, 69-12-301, 69-12-302, 69-12-313, 69-12-321, 69-12-324
- interchange agreements prohibited, 69-12-612
- lease of power equipment, 69-12-611, See also **Leases**
- rates, See **Rates, fares, and charges**
- records and reports, 69-12-407, See also **Records and reports**
- waste transportation restrictions and exception, 69-12-406

Class D carriers
- certificates, 69-12-314, 69-12-323, 69-12-407, See also **Certificate of public convenience and necessity**
- classification, 69-12-301, See also **Classification**
- lease of power equipment, 69-12-611, See also **Leases**
- records and reports, 69-12-407, See also **Records and reports**

Classification, 69-12-301
- agreements between carriers, 69-12-601
- changes, 69-12-501, 69-12-503 — 69-12-505
- emergency or standby equipment, 69-12-421
- investigation, 69-12-503
- public service commission, authority, 69-12-201
- reasonable and nondiscriminatory, to be, 69-12-201, 69-12-503
- rules to reflect differences, 69-12-205, 69-12-601
- schedule, maintenance, 69-12-501

Common carrier motor transportation system, encouragement, 69-12-202
Compensation
- facilities and equipment, agreements between carriers for use, 69-12-601
- lease of certificate, for, 69-12-326
- paid for use of highways, 69-12-101, 69-12-103, 69-12-402, 69-12-421, 69-12-422
  - driveaway or towaway transporters, additional, 61-4-304
- power equipment, leases for, 69-12-611
- service by, for, See **Rates, fares, and charges**

Competition, 7-2-4736, 69-12-205, 69-12-323
Complaints, 69-12-210
- administrative procedure for, 69-12-204
- agreements between carriers, concerning, 69-12-603
- rates, fares, charges, classification, or rules of service, 69-12-503, 69-12-505

Compliance, 69-12-103, 69-12-401, 69-12-402, 69-12-415
Contracts, See also **Agreements**
- certificate leases, for, 69-12-326
- class C carriers, 69-12-301, 69-12-302, 69-12-313, 69-12-321, 69-12-324
- excess rates, fares, and charges — recovery actions, nonadmissibility, 69-12-511
- federal, state, or local government, 69-12-103, 69-12-324

Decisions by Public Service Commission, 69-12-108, 69-12-206, 69-12-323
Definitions, 39-2-304, 69-12-101
Discontinuance of service, 69-12-403

MOTOR CARRIERS (Continued)

Division of Motor Carrier Services, 2-15-2501, 44-4-301
Drug testing requirements, 39-2-304
Enforcement of provisions, 44-1-1005, 61-10-141, 69-12-203, 69-12-209
Equipment, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, generally
  agreements between carriers for use, 69-12-601
  bus lines, 69-12-208
  emergency or standby, 69-12-421
  interchange, 69-12-612
  leasing of power equipment, 69-12-611
Execution, effect of lien, 69-12-422
Exemptions, 69-12-102, 69-12-302, 69-12-405
Facilities
  administrative procedure for cases involving, 69-12-204
  agreements between carriers for use, 69-12-601
  bus lines, 69-12-208
  encouragement of system, 69-12-202
  regulation, 69-12-201
  rules, 69-12-205
  transloading facility, demonstration truck/train, 7-14-120
Fares, See **Rates, fares, and charges**
Fees
  annual, 69-12-421
  certificates, filing, 69-12-311 — 69-12-313
  consumer counsel, 15-1-211, 69-1-201, 69-1-223 — 69-1-228, 69-1-230, 69-2-205; Const., XIII, 2
  driveaway or towaway transporters, additional, 61-4-304
  failure to pay, 69-2-205, 69-12-422
  lessee of power equipment, responsibility for, 69-12-611
  payment, 69-12-402
  public service commission, charged by, 69-12-423
  public service regulation, department of — nonapplicability, 69-1-401
Findings by Public Service Commission, 69-12-206, 69-12-209, 69-12-323
For hire, 69-12-101
  accommodative transportation, nature of, 69-12-105
  class A carriers, 69-12-311
  class B carriers, 69-12-312
  compliance with state law, 69-12-401
  transportation movement considered to be, 69-12-324
Fuel tax, Title 15, chapter 70
Gross vehicle weight, identification of large vehicles, 69-12-408, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Gross vehicle weight fees; Size, weight, and load**
Hearings
  administrative procedure for, 69-12-204
  agreements between carriers — for approval, termination, or modification, 69-12-604
  bus service, for, 69-12-208
  certificates
    applications, 69-12-321
    revocation, 69-12-327
  classification, rates, fares, charges, or rules of service
    change or revision, 69-12-504, 69-12-505
    complaints or investigations, 69-12-503
  conduct, 69-12-204
  intrastate operating authority, public convenience and necessity, 69-12-404
  notices, publication costs, 69-12-423

MOTOR CARRIERS (Continued)
Hearings (Continued)

- penalty, civil — for, 69-12-108
- public service commission, by, 69-12-206, 69-12-210
- witnesses, 69-12-204, 69-12-206

Household goods carriers, 69-12-302
House movers, 69-12-302, 69-12-331
Identification of ownership, 69-12-408
Injunction, 69-12-209
Inspections, 69-12-203
- cargo or safety, 44-1-1005, 61-10-141, 69-12-203
- records and reports, 69-12-407, 69-12-601

Inspectors, 44-1-1005, 61-10-141, 69-12-203
Insurance policies, 69-12-402
Interchange of equipment, 69-12-612
Interstate Commerce Commission, 69-12-407, 69-12-408
Interstate or international carriers, 69-12-103
Intrastate, 39-2-304
- operating authority, suspension, 69-12-404

Investigations, 69-12-204, 69-12-206, 69-12-210
- agreements between carriers, 69-12-603
- classification, rates, fares, charges, or rules of service, 69-12-503
- route or territory to be served, 69-12-321
- violations, 69-12-203, 69-12-210

Judgments, 69-12-402
Leases
- applicability of laws, 69-12-102
- certificates, of, 69-12-325, 69-12-326
- "for hire" defined, 69-12-101
- power equipment, 69-12-611
- production when, 69-12-203
- status as motor carrier, evidence of, 69-12-106

Lien upon property, when, 69-12-422
Livestock, transportation of, 69-12-405
Loads, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, **Size, weight, and load**
Manifests, 69-12-203, 69-12-612
National parks, operation in and about, 69-12-103
Negligent operation, 69-12-402
Noncompliance, 69-12-108, 69-12-209, 69-12-323, 69-12-401, See also **Violations**
Operation between fixed termini or over regular route, 69-12-101, 69-12-104
- class A carriers, 69-12-301, 69-12-311
- class C carriers, 69-12-313

Operations
- agreements between carriers, 69-12-601 — 69-12-605
- certificate of public convenience and necessity required, 69-12-311 — 69-12-314, See **Certificate of public convenience and necessity**
- interstate or international carriers, 69-12-103
- intrastate, suspension, 69-12-404
- lease of certificate, effect, 69-12-326
- negligent, 69-12-402
- regulation, 69-12-201
- reports, See **Records and reports**
- safety standards, 44-1-1005
- temporary authority, 69-12-207

Orders by Public Service Commission
- administrative procedure for cases involving, 69-12-204

MOTOR CARRIERS (Continued)
Orders by Public Service Commission (Continued)

- agreements between carriers — approval, termination, or modification, 69-12-601, 69-12-603, 69-12-604
- certificates
  - applications, pertaining to, 69-12-311 — 69-12-313, 69-12-323
  - revocation, 69-12-327
- classification change or revision, concerning, 69-12-505
- compliance, 69-12-415
- enforcement, 69-12-203, 69-12-209
- filing, 69-12-206
- investigations or hearings, from, 69-12-206
- noncompliance, 69-12-108, 69-12-209, 69-12-210, 69-12-327
- rates, fares, and charges — change or revision, 69-12-505
- rules, prescribing, 69-12-201
- schedule, modifications — conformance, 69-12-503
- service, for discontinuance or abandonment, 69-12-403

Private carriers, status, 69-12-107
Property

- certificate applications, contents, 69-12-311, 69-12-312
- lien upon, when, 69-12-422
- pickup and delivery, carriers for, 69-12-302
- regulation, 69-12-201

Purpose of provisions, 69-12-107, 69-12-202
Rates, fares, and charges

- administrative procedure for cases involving, 69-12-204
- agreements between carriers, 69-12-601, 69-12-602
- cases generally, 69-2-101, 69-2-102
- changes, 69-12-501, 69-12-503 — 69-12-505
- class A carriers, 69-12-201, 69-12-205, 69-12-301, 69-12-311
- class B carriers, 69-12-201, 69-12-205, 69-12-301, 69-12-312
- class C carriers, 69-12-201, 69-12-205
- class D carriers, 69-12-205
- complaints, 69-12-503
- deviations unlawful, 69-12-502
- excess, recovery, 69-12-511
- filing, 69-12-201, 69-12-423, 69-12-501
- investigation, 69-12-503
- joint, 69-12-602
- reasonable and nondiscriminatory, to be, 69-12-201, 69-12-205, 69-12-503
- rebates and refunds unlawful, 69-12-502
- regulation generally, 69-12-201
- rules, 69-12-205, 69-12-501, 69-12-601
- schedule, 69-12-311, 69-12-312, 69-12-423, 69-12-501

Reciprocal registration, interstate or international carriers, 69-12-103
Records and reports

- administrative procedure pertaining to, 69-12-204
- agreements between carriers, 69-12-601
- annual reports, 69-12-201, 69-12-407, 69-12-423
- examination, 69-12-407, 69-12-601
- filing, 69-12-201, 69-12-407
- interstate commerce commission reports, copies, 69-12-407
- interstate or international carriers, 69-12-103
- rules, 69-12-205
- uniformity, 69-12-407

Recyclables, transportation of, 69-12-101

- class C contract requirements, nonapplicability, 69-12-302

MOTOR CARRIERS (Continued)
Recyclables, transportation of (Continued)

  class D carriers, by, 69-12-301
  waste transportation restrictions, nonapplicability, 69-12-406
Regulation, 69-1-102, 69-12-107, 69-12-201
Reports, See **Records and reports**
Rules, 69-12-201
  agreements between carriers, for, 69-12-601
  annual fee and compensation, 69-12-421
  authority of public service commission, 69-12-201
  certificate applications, 69-12-311 — 69-12-314, 69-12-321
  classification change or revision, notice, 69-12-504
  compliance, 69-12-402, 69-12-415
  difference between carrier classes, to reflect, 69-12-205
  enforcement, 69-12-203
  interstate or international carriers, cooperative or reciprocal registration, 69-12-103
  noncompliance, 69-12-108, 69-12-210, 69-12-327
  rates, fares, and charges — notice of change or revision, 69-12-504
  schedules — form, style, filing, and publication, 69-12-501
  service, of, 69-12-205, 69-12-501, 69-12-503, 69-12-504
  temporary operating authority, 69-12-207
Safety standards, 44-1-1005, 61-9-512, 61-10-141
Schedules, 69-12-201, 69-12-205, 69-12-501, 69-12-503 — 69-12-505
  time schedules, 69-12-208, 69-12-311
Scope of provisions, 69-12-102
Seasonal operations, 69-12-421
Self-insurance, 69-12-402
Service
  abandonment, 69-12-403
  administrative procedure for cases involving, 69-12-204
  bus service, 69-12-208
  discontinuance, 69-12-403
  pooling or division, 69-12-602
  public convenience and necessity, requirement for certification, 69-12-321, 69-12-323, 69-12-404
  rates, fares, and charges, See **Rates, fares, and charges**
  regulation, 69-12-201
  rules of, 69-12-205, 69-12-501, 69-12-503, 69-12-504
  temporary operating authority, 69-12-207
Size, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, **Size, weight, and load**
Solid waste carriers, See **Waste carriers**
Special fuel, Title 15, chapter 70
Status as, 69-12-106, 69-12-107
Supervision, 69-1-102, 69-12-201
Supervisor of, 69-12-203
System, encouragement, 69-12-202
Tariffs, See **Rates, fares, and charges**
Temporary operating authority, 69-12-207
Time schedules, 69-12-208, 69-12-311
Transfer of authority, request for, 69-12-321
Transloading facility, demonstration truck/train, 7-14-120
Urine testing requirements, 39-2-304
Violations, 69-12-108, 69-12-209, 69-12-327, 69-12-401
  criminal charge, filing when offense committed in transit, 46-3-114
  investigation and prosecution, 69-12-203, 69-12-210
  noncompliance with provisions, 69-12-108, 69-12-209, 69-12-401
  nonpayment of fees and false or fraudulent statements or information, 69-2-205

MOTOR CARRIERS (Continued)
Violations (Continued)
  penalties and fines, 61-9-512, 69-12-108, 69-12-210
  public service commission orders, rules, or decisions — noncompliance, 69-12-108, 69-12-209, 69-12-210, 69-12-327
  rates, fares, and charges — deviation, 69-12-502
  safety standards, 44-1-1005, 61-9-512, 61-10-141
Waste carriers
  annexation, effect on service by, 7-2-4736
  cities and towns, private carriers — protection, 7-13-4107
  class D carriers, as, 69-12-301, 69-12-314
  contracts, 69-12-324
  restrictions and exception, 69-12-406
Waybills, 69-12-612
Weigh stations, 61-10-141
Weight, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, **Gross vehicle weight fees; Size, weight, and load**
  certificate applications, inclusion, 69-12-311 — 69-12-313
  identification of large vehicles, 69-12-408
  safety standards, enforcement, 44-1-1005, 61-10-141
Workers' compensation coverage, 39-71-117

MOTOR CLUB SERVICE COMPANIES
Agents, 61-12-301
  licenses required, 49-3-204, 61-12-302
  service contracts, 61-12-309, 61-12-312
Applicability of provisions, 61-12-314
Arrest bond certificates, 46-9-412, 46-9-414
Cash deposits required when, 61-12-304
Definitions, 61-12-301
Examinations, 61-12-303
Financial statements, 61-12-303, 61-12-307
Licenses, 49-3-204, 61-12-302 — 61-12-306, 61-12-311
Service contracts, 61-12-301, 61-12-308 — 61-12-313
Surety bonds required when, 61-12-304
Violations and penalty, 61-12-315

MOTOR FUEL MARKETING ACT, MONTANA RETAIL, Title 30, chapter 14, part 8
  See **TRADE REGULATION AND COMPETITION, Motor fuel marketing**

MOTOR VEHICLE SAFETY-RESPONSIBILITY ACT, UNIFORM, Title 61, chapter 6, part 1
  See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Financial responsibility**

MOTOR VEHICLES AND TRAFFIC REGULATIONS
  See also **VEHICLES**
Abandoned vehicles
  notice requirements, 61-12-402
  reclaiming, 61-12-403
  sale, 61-12-404 — 61-12-407
  taking into custody, 61-8-705, 61-12-401
  violations, penalty, 61-12-408
Accidents and accident reports
  actions arising from, See **Actions arising from**
  aid, duty to render, 61-7-105
  alcohol-related, reports, 61-2-106
  animals, collision with, 60-7-203
  application of laws, 61-7-102

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Accidents and accident reports (Continued)

- citation of uniform accident reporting act, 61-7-101
- confidentiality of reports, 61-7-114, 61-7-116, 61-11-105
- coroners' reports, 61-7-111, 61-7-112
- damages, replacement value as measure, 27-1-306
- damage to vehicle, involving, 61-7-104, 61-7-109
- death or personal injuries, involving, 61-7-103, 61-7-109
- debris on highway, removal, 61-8-365, 61-9-416
- drinking and driving prevention programs, 61-2-106 — 61-2-108
- driver improvement program, 61-2-103, 61-2-301, 61-2-302, 61-11-101
- driver's license, revocation or suspension when, 61-5-205, 61-5-206, 61-7-103, 61-7-111
- driving records, inclusion, 61-11-105
- driving under the influence of alcohol or drugs, See **Driving under the influence of alcohol or drugs**
- equipment-related, Title 61, chapter 2, part 2
- failure to stop and remain at scene and/or render aid, 61-5-205, 61-7-103, 61-7-104, 61-8-809, 61-11-203
- filing of reports, 61-7-109 — 61-7-114, 61-7-116, 61-11-102
- financial responsibility, See **Financial responsibility**
- fixtures or property on highways, duty when striking, 61-7-107
- forest development roads, 61-8-111
- forms, 61-7-109, 61-7-111
- garages, reports by, 61-7-111, 61-7-113
- habitual traffic offenders, See **Habitual traffic offenders**
- incapacity to make report, procedures, 61-7-110
- information, duty to give, 61-7-105, 61-7-109, 61-11-203
- insurance premium discount for elderly drivers, effect on, 33-16-223
- investigation, 61-2-101, 61-7-109, 61-8-111
- liability insurance, See **Liability insurance**
- local reports, 61-7-116
- medical examiners' reports, 61-7-111, 61-7-112
- nonresidents, See **Nonresidents; CIVIL PROCEDURE, Service of process**
- notice, immediate, 61-7-108, 61-7-110
- penalty for violations, 61-7-118
- salvage vehicles, 61-3-210 — 61-3-212
- statistical information, 61-7-115
- unattended vehicle, duty when striking, 61-7-106
- uniformity of interpretation, 61-7-117
- uninsured motorists, 33-23-201, See also **Liability insurance**
- warning signs, 61-9-416
- written reports, 61-7-109

Actions arising from

- animals, collision with, 60-7-203
- attorney's fee, 25-10-101, 25-10-302, 25-10-303
- auto auctions, unlawful conduct — judgment for loss or damage, 61-4-120
- certificate of title, bonds — recovery on, 61-3-208
- child safety restraint systems, evidence of compliance or noncompliance, 61-9-422
- compromise, effect, 25-10-303
- costs, 25-10-101, 25-10-302
- dealers and wholesalers
  - injunction to restrain, when, 61-4-107, 61-4-209
  - recovery of damages when, 61-4-137
  - unlawful conduct, judgment for loss or damage, 61-4-101
- drivers' licenses, suspension or revocation, 61-11-101
- driving under the influence of alcohol or drugs, 61-8-401, 61-8-404
- excess size and weight permits — cancellation, revocation, or suspension, 61-10-143

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Actions arising from (Continued)

- financial responsibility, 61-6-108, 61-6-110, 61-6-137
- franchises, cancellation or termination, 61-4-206
- graveyards and wrecking facilities, concerning, 75-10-541
- habitual traffic offenders, complaint against, 61-11-205
- liability, 2-9-111
- manufacturers, distributors, importers, or dealers
  - financing sale of vehicles, damages from violations, 61-4-406
  - injunction to restrain when, 61-4-209
- replacement value, damages, 27-1-306
- seatbelt provisions, evidence of compliance or noncompliance, 61-13-106
- warranty provisions, action not created by dealer exemption, 61-4-505

Agriculture
- agricultural seeds
  - bills of lading, 61-10-141, 80-5-202
  - enforcement of provisions, 80-5-121
  - perishable seed potatoes, vehicles carrying, 61-10-128
- commercial motor vehicle, exception, 61-1-134
- commodity dealers, trucks or tractor-trailer units, 80-4-601, 80-4-602, 80-4-605
- custom combiners, special permits and fees, 61-10-124, 61-10-130
- equipment provisions, exceptions, 61-9-101
- grain trucks, 80-4-722
- gross vehicle weight fees, See **Gross vehicle weight fees**
- hay grinders or vehicles carrying hay, 61-10-102, 61-10-123
- junk vehicles, shielding and removal — exemption from provision, 75-10-505
- motorcycle safety training fee, exemption when, 20-7-514
- nonresident workers, registration, 20-7-514, 61-3-502, 61-3-508
- secured load requirement, exception, 61-8-370
- size, weight, and load provisions, See **Size, weight, and load**
- traffic regulations, exception, 61-8-101
- unprocessed products, secured load requirement — exception, 61-8-370
- vehicles, See **Implements of husbandry**; **Special mobile equipment**

Air pollution, 75-2-112, See also **AIR QUALITY**, **Emissions**

Alcoholic beverages
- driver's license, alteration or unauthorized use to obtain, 61-5-206
- driving under the influence of, See **Driving under the influence of alcohol or drugs**
- identification cards, alteration or unauthorized use to obtain, 61-5-206
- open containers unlawful when, 16-3-106
- seizure of beverage and conveyance when, 16-6-105

All-terrain vehicles, 23-2-302, See **Off-highway vehicles**; **Quadricycles**

Alternative fuel, conversion to — tax credits, 15-30-164, 15-31-137

Ambulances, See **Authorized emergency vehicles**; See also **EMERGENCY MEDICAL SERVICES**

Animal-drawn vehicles
- drivers of, applicability of provisions, 61-8-108, 61-9-107
- lamps, 61-9-216, 61-9-513
- slow-moving vehicle provisions, 61-9-415, 61-9-513

Animals, collision with, 60-7-203

Appeals
- assigned risk plan rulings or decisions, 61-6-144
- drivers' licenses — cancellation, suspension, or revocation, 61-5-211, 61-8-403, 61-8-802, 61-8-805, 61-8-808
- financial responsibility orders or decisions, 61-6-106
- franchise termination or cancellation hearings, 61-4-206
- graveyard and wrecking facility license denial or revocation, 75-10-515

Armored car service, Title 37, chapter 60

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Assigned risk plans, 61-6-144
Assignment of interest, See **Security interests**
Attachment, 23-2-811, 61-3-103
Authorized emergency vehicles, 61-1-119
  approach of, operation of vehicles upon, 10-1-602, 61-8-346, 61-8-380, 61-8-383
  audible and visual signals, 61-8-107, 61-8-346, 61-9-401, 61-9-402
  commercial motor vehicle, exception, 61-1-134
  emergency service vehicles, 61-1-120
  following prohibited, 61-8-363
  funeral processions, yield of right-of-way, 61-8-380, 61-8-383
  lighting, 61-9-226, 61-9-227, 61-9-402
  on-scene command and control vehicles, designation, 61-9-402
  private vehicles, use of red light, 61-9-227
  public officers and employees, exceptions, 61-8-106, 61-9-106
  traffic regulations, exemptions, 61-8-107, 61-8-201
  window tinting or sunscreening standards, nonapplicability when, 61-9-405
Auto auctions, 61-1-319, 61-4-105, 61-4-120, See also **Dealers and wholesalers**
Automobile clubs, Title 61, chapter 12, part 3
Backing, limitations, 61-8-358
Bicycles and bicycle trails, See **BICYCLES**
Blind persons, See also **Disabled persons**
  drivers approaching, duty and liability, 49-4-216, 49-4-217
  drivers' licenses, ineligibility for, 15-30-303
  rights generally and penalty for denial or interference with, 49-4-211, 49-4-213, 49-4-215 — 49-4-217
Boats, Title 23, chapter 2, part 5
Bonds, See also **Convictions from violations**, forfeiture of bail
  auto auction licensing, 61-4-120
  certificate of title, required when, 61-3-208
  chains or traction equipment, failure to use, 61-9-520
  financial responsibility, See **Financial responsibility**
Brakes, 61-9-301, 61-9-304, 61-9-315
  acting on all wheels
    breakaway from towing vehicle, upon, 61-9-305, 61-9-306, 61-10-104
    exceptions, 61-9-304
  air brake supply reservoirs, 61-9-307
  bicycles, 61-1-123, 61-8-607
  check valve, 61-9-310
  emergency operation, two means, 61-9-308
  hydraulic brake fluid, 61-9-314
  inspection, 61-9-315
  lights, 61-9-206 — 61-9-209, 61-9-218
  maintenance, 61-9-313
  parking brakes, adequacy, 61-9-303
  performance ability, 61-9-312
  reservoir capacity, 61-9-310
  service brakes, 61-9-302, 61-9-306, 61-9-309
  single control, 61-9-309
  speed of vehicle, basic rule, 61-8-303
  unattended vehicles, setting, 61-8-357
  warning devices, 61-9-311
Bridges, See **BRIDGES, COUNTY ROADS AND BRIDGES**
Burglar alarm signal devices, 61-9-401
Buses, See **Gross vehicle weight fees; Size, weight, and load; Taxes**; See also **BUSES; SCHOOL TRANSPORTATION**

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Business district, 61-1-408
  alleys, driveways, or buildings — vehicles emerging from, 61-8-345
  turning movements and signals, 61-8-336
Campers, 61-1-129, 61-9-405
  certificate of ownership, 61-3-518
  decals, tax-paid, 61-3-519, 61-3-524, 61-3-525, 61-3-535, 61-3-606
  fee in lieu of tax, 61-3-303, 61-3-509, 61-3-519, 61-3-521, 61-3-523
    school district funding, consideration in computation, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146
  identification numbers, 61-3-107
  penalty, 61-3-519
  registration, 61-3-303, 61-3-519
  state parks recreational vehicle fee, 61-3-512
  tax exemption, 15-6-201
  window tinting or sunscreening restrictions and exceptions, 61-9-405, 61-9-428, 61-9-429
Caravans, 61-8-329
Careless driving, 61-6-201, 61-8-302, See also **Reckless driving**
  drivers' licenses, effect, 61-5-108, 61-5-109, 61-5-111, 61-5-206
  penalty, 61-8-716
Car pools, exemption from motor carrier regulations, 69-12-102
Carriers, Title 69, chapter 12
Certificate of origin, 61-3-502, 61-4-104, 61-4-112
Certificates of ownership, 23-2-801, 61-1-509
  abandoned vehicle sales, 61-12-406
  acknowledgment, 61-3-201, 61-3-205
  affidavits, requirements, 61-3-201, 61-3-208, 61-3-342
  alteration, 61-3-603
  applications, 23-2-811, 61-3-201, 61-3-202, 61-3-204, 61-3-208, 61-3-518, 61-4-112
  auto auction, validation of sale, 61-4-120
  bond required when, 61-3-208
  campers, 61-3-518
  cancellation when, 61-3-201
  contents, 23-2-811, 61-3-202
  dealers and wholesalers, assignment, 61-4-104
  death of owner, transfer, 23-2-812, 61-3-201
  duplicate, 23-2-813, 61-3-204
  erroneous, 61-3-201
  fee, 23-2-811 — 23-2-813, 61-3-103, 61-3-203, 61-3-204
  forgery, 61-3-603, 75-10-514
  illegible, replacement, 23-2-813, 61-3-204
  issuance, 23-2-811 — 23-2-813, 61-3-201, 61-3-202, 61-3-208, 61-4-111, 61-4-112
    identification number of vehicle, requirements, 61-3-107, 61-3-202
    stolen vehicle file, state automated — checking prior to, 61-3-106
  joint ownership, 61-3-202
  junk vehicles, 75-10-512 — 75-10-514, 75-10-522
  liens, filing, 61-3-103
  lost or mutilated, replacement, 23-2-813, 61-3-204
  off-highway vehicles, 23-2-801, 23-2-811 — 23-2-813
  out-of-state vehicles, 61-3-201
  purchase sticker in lieu of, 23-2-812, 61-3-317, 61-3-342, 61-3-519
  records, 23-2-811, 23-2-812, 61-3-101, 75-10-512
  return to department, 61-3-201, 61-3-211
  salvage vehicles, 61-3-202, 61-3-210 — 61-3-212
  security interests, 61-3-103, 61-3-208, 61-4-112
  transfer of interest, 23-2-812, 61-3-201, 61-3-203, 61-3-205, 61-3-208

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Certificates of ownership (Continued)

- used motor vehicles, 61-4-104, 61-4-111
- validity, period of, 23-2-811, 61-3-201
- vehicle not registered in state, procedures, 61-3-201
- window sticker in lieu of, 61-3-317, 61-3-342

Certificates of registration
- affidavits, requirements, 61-3-201, 61-3-324
- cancellation, 61-3-201
- confidential, 44-4-201 — 44-4-206
- contents, 61-3-322
- dealers and wholesalers, transfers, 61-4-106, 61-4-111
- death of owner, transfer, 61-3-201
- duplicate, 61-3-341
- fleet registration, 61-3-324
- foreign vehicles, 61-3-701
- inspection, 61-12-205
- issuance, 61-3-201, 61-3-322, 61-3-701, 61-4-111, 61-4-112
- out-of-state vehicles, 61-3-201
- receipt, 61-3-201, 61-3-322, 61-3-701, 61-4-112, 61-12-205
    - fleet registration, 61-3-324
    - foreign vehicles, 61-3-701
- records, 61-3-101
- replacement, 61-3-341
- surrender when, 61-3-201, 61-3-324, 61-3-335, 61-6-302
- transfer of interest, 61-3-201, 61-3-203
- transfer of plates, 61-3-335
- transfer to other dealers or wholesalers, 61-4-106
- used motor vehicles, 61-4-111
- validity, period of, 61-3-312
- vehicle
    - carrying in, 61-3-322
    - operation without, when, 61-3-317

Child safety restraint systems, 61-9-420, 61-13-103
- evidence, admissibility without presumption of negligence, 61-9-422
- penalty for violations, 61-9-423
- "properly restrained" defined, 61-9-419
- seatbelt provisions, 61-9-420, 61-13-103
- vehicles, exceptions, 61-9-421

Coasters, clinging to vehicles prohibited, 61-8-604
Coasting prohibited, 61-8-362
Collector's item vehicles, 2-89-302, 61-3-411, 61-3-412
Combine harvesters, special permits and fees, 61-10-124, 61-10-130
Commercial, 61-1-134, See also **Fleet vehicle registration**; **Gross vehicle weight fees**; **Size, weight, and load**; **MOTOR CARRIERS**
- felony involving, effect, 61-8-810
- hay haulers or hay grinders, 61-10-102, 61-10-123
- hazardous materials, 61-1-137
    - transporting, 61-1-134, 61-8-805, 61-8-806, 61-8-811
- operation, criteria and procedures, 61-8-801
- operators
    - accident, leaving the scene, 61-8-809
    - blood, breath, or urine tests, 61-8-806, 61-8-808
    - controlled substance, felony involving — effect, 61-8-804
    - conviction of traffic violations, effect, 61-5-208, 61-8-803, 61-8-810
    - driver's license, See **Drivers' licenses**, commercial driver's license
    - driving under the influence, effect, 61-5-208, 61-8-801, 61-8-805, 61-8-806, 61-8-808

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Commercial (Continued)
- operators (Continued)
    - federal regulations, conformance, 61-8-801 — 61-8-808, 61-8-811
    - hearings, 61-8-805, 61-8-808
    - purpose of provisions, 61-8-801
    - tests, administration, 61-8-807
- renting vehicle to another person, 61-5-306
- secured load requirement, exception, 61-8-370

Convictions from violations, 61-5-213, 61-8-714, 61-8-722, 61-11-203
- abandoned vehicle provisions, 61-12-408
- abstracts, 61-5-405, 61-11-102, 61-11-204, 61-11-207
- accidents
    - driving record, inclusion, 61-11-105
    - failure to stop at scene, 61-5-205, 61-7-103, 61-8-809, 61-11-203
    - not involving convictions, information pertaining to, 61-11-105
    - report provisions, penalty, 61-7-118
- certificate of ownership or assignment thereof, 61-3-603
- commercial vehicle operators, 61-5-208, 61-8-803, 61-8-804, 61-8-809 — 61-8-811
- conservation speed limit violations, 61-11-103
- controlled-access, use restrictions, 61-8-720
- court costs, 61-8-711, 61-9-511
- dealers or wholesalers, 61-4-136
- deferred imposition of sentence as, 61-5-213
- deliberate homicide, 61-11-203
- drag racing, 61-11-203
- drivers' licenses
    - compact
        - court abstracts or reports of convictions, disposition, 61-5-405
        - validity under, 61-5-406
    - false statements, 61-5-303, 61-5-405
    - out-of-state convictions, effect, 61-5-204
    - revocation or suspension, 61-5-205, 61-5-206, 61-5-208, 61-5-405, 61-8-722, 61-8-803, 61-8-804, 61-8-809 — 61-8-811
- driving
    - alcohol concentration, excessive, 61-5-205, 61-5-208, 61-8-722
    - privilege, suspension or revocation, 61-5-205, 61-5-206, 61-5-208, 61-6-131
    - record, inclusion, 61-11-105
    - under the influence of alcohol or drugs, 61-5-205, 61-5-208, 61-8-714, 61-8-722, 61-8-805, 61-8-806, 61-8-808, 61-11-203
    - without license or while license suspended or revoked, 61-5-212, 61-11-203
- equipment provision violations, 61-9-511
- failure to appear or pay fine, 61-5-214
- fender or flap provisions, 61-9-515
- foreign vehicles, lack of registration, 61-3-704
- forfeiture of bail
    - "conviction" defined as, 61-5-213, 61-8-714, 61-8-722, 61-11-203
    - disposition, 53-9-109, 61-12-701
    - failure to forfeit, 61-5-214
    - insurance premium discount for elderly drivers, effect on, 33-16-223
    - records, 61-6-131, 61-6-142, 61-11-101
    - reports, 61-11-104
- forfeiture of vehicle, 61-8-421
- habitual traffic offenders, operation of vehicle, 61-11-213
- identification numbers, alteration, 61-3-604
- insurance premium discount for elderly drivers, effect on, 33-16-223
- manufacturers, distributors, and importers, 61-4-210, 61-4-405
- minors, 61-8-723

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Convictions from violations (Continued)

- mitigated deliberate homicide, 61-11-203
- motorcycle noise suppression devices, lack of, 61-9-518
- multiple, prohibited, 61-8-408
- negligent homicide, 61-5-205, 61-11-203
- negligent vehicular assault, 45-5-205, 61-5-205, 61-11-203
- nonresidents, 61-6-131, 61-11-102
- odometer mileage disclosure requirements, 61-3-201, 61-3-206, 61-3-607
- out-of-state, effect, 61-5-204, 61-8-714, 61-8-722
- point system, 61-11-203, 61-11-211
- property, public — leaving vehicle on, 61-8-719
- reckless driving, 61-5-205, 61-5-405, 61-8-715, 61-11-203
- records, 61-5-212, 61-6-131, 61-6-142, 61-8-714, 61-8-722, 61-8-803, 61-8-806, 61-8-811, 61-11-101, 61-11-102, 61-11-204, 61-11-207
- reports, 61-2-106, 61-5-405
- seatbelt provisions, 61-9-516, 61-13-104
- sentence, deferred imposition — as, 61-5-213
- speed contests, 61-11-203
- speeding violations, 61-10-147, 61-11-203
- splash apron provisions, 61-9-515
- traffic-control devices, injury or removal, 61-8-204, 61-8-713
- traffic violations generally, 61-8-104, 61-8-711
- weight limitation and prohibition violations, 61-10-147

Counties, See also **Local authorities**
- computer system for registration purposes, 61-3-345 — 61-3-347, 61-3-511
- drinking and driving prevention programs, 61-2-106 — 61-2-108
- fleet registration, 61-3-323 — 61-3-325
- graveyards and wrecking facilities, 75-10-503, 75-10-521, 75-10-534
- license plates
  - collegiate, designation, 61-3-463
  - manufacturer's, designation, 61-4-223
  - numbers, assignation, 61-3-332
  - personalized, designation, 61-3-403
  - purchase and display unlawful when, 61-3-301
- tax, local option vehicle, 61-3-537

County roads, See **COUNTY ROADS AND BRIDGES**
Crest of grade, See **Curve or crest of grade**
Crime victims reparation
- criminally injurious conduct when, 53-9-103
- fines and bails from violations, funding by, 53-9-109

Criminal offense committed in transit, filing of charge, 46-3-114
Crosswalks, 61-1-209, See also **PEDESTRIANS, Crosswalks**
- right-of-way in, 61-8-502
- schools, near — speed limit alteration, 61-8-310
- stopping, standing, or parking prohibited when, 61-8-354
- stop signs, 61-8-209, 61-8-344

Crushing, 75-10-531, 75-10-532, See also **Graveyards and wrecking facilities**
Curve or crest of grade
- disabled vehicles, placement of warning devices, 61-9-412
- overtaking vehicles on, prohibited, 61-8-325
- speed, 61-8-303, 61-8-309
- turning prohibited, 61-8-334
- unattended vehicles, 61-8-357

Custom combiners, special permits and fees, 61-10-124, 61-10-130
Deaf persons, rights generally and penalty for denial or interference with, 49-4-211, 49-4-215, See also **Disabled persons**

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Dealers and wholesalers, See also **Manufacturers, distributors, and importers**
- administrative action, 61-4-105, 61-4-210
- auto auctions, 61-4-120
- bond requirements, 23-2-818, 61-4-101
- branch establishments, 61-4-102
- broker, 61-1-318, 61-4-101
- cease and desist orders, 61-4-107, 61-4-209
- certificate of origin, 61-3-502, 61-4-104, 61-4-112
- certificate of registration, transfers, 61-4-106, 61-4-111
- change of ownership, 61-4-106, 61-4-131 — 61-4-137
- civil penalty, 61-4-210
- dealership or distribution contract, inventory repurchase upon cancellation, Title 30, chapter 11, part 7
- definitions, 61-1-117, 61-1-314, 61-1-315, 61-1-318, 61-1-319, 61-4-103, 61-4-131, 61-4-201
- enforcement of provisions, 61-3-602, 61-4-105
- farm implements, Title 30, chapter 11, part 8
- fees, 23-2-818, 61-4-101, 61-4-102, 61-4-106
- financial institutions, licensing exemption, 61-4-108
- financing purchase or sale of vehicles, 61-4-401 — 61-4-406
- franchises, See **Manufacturers, distributors, and importers**
- gross vehicle weight fees, exemption when, 61-10-214
- injunction, 61-4-107, 61-4-209
- inspections, 61-4-101, 61-4-104
- installment sales, 31-1-202, 31-1-231
- inventories, 15-8-202
- junk vehicle disposal fees, exemption, 61-3-508
- license plates, 61-3-301, 61-3-332, 61-4-101 — 61-4-103
  - junk vehicle disposal fees, exemption, 61-3-508
  - special mobile equipment, 61-3-431 — 61-3-434, 61-10-124
- licensing and licenses, 61-3-607, 61-4-101 — 61-4-103, 61-4-105 — 61-4-108
  - discrimination in issuance prohibited, 49-3-204
  - enforcement of provisions, 61-3-602, 61-4-105
  - failure to have, 61-4-107, 61-4-209
  - nonissuance when, 61-4-205
  - required, 61-4-202
- motorcycle safety training fee, exemption, 20-7-514
- new vehicles, See also **Manufacturers, distributors, and importers**
  - certificate of origin, 61-3-502, 61-4-112
  - odometer mileage disclosure and record requirements, 61-3-206, 61-3-607
  - security interests, perfection, 61-3-103
  - towed into state, labeling, 61-4-113
  - transfer provisions, 61-4-112, 61-4-121
- odometer mileage disclosure and record requirements, 61-3-206, 61-3-607, 61-4-104
- off-highway vehicles, 23-2-803, 23-2-811, 23-2-812, 23-2-818
- off-premises sales, 61-4-102
- overtime compensation exclusions for sales and service personnel, 39-3-406
- product or warranty liability, 61-4-204
- property taxes on vehicles, See **Taxes**
- records, 23-2-812, 23-2-818, 61-3-101, 61-3-206, 61-4-101, 61-4-104, 61-4-106
- registration
  - certificate, transfer, 61-4-106, 61-4-111
  - fees, 23-2-818, 61-4-102
  - "purchasers" defined, 15-8-202
- rental businesses, 61-4-108
- restrictions, 61-4-102

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Dealers and wholesalers (Continued)

- sales, 61-4-102, 61-4-108, 61-4-208
- statement of origin, 61-3-502, 61-4-112
- state parks recreational vehicle fee, nonapplicability, 61-3-512
- sticker provisions, 23-2-812, 61-4-111, 61-4-112, 61-4-119, 61-4-121
- store license requirement, 61-1-314
- succession to ownership, 61-4-131 — 61-4-137
- taxation
  - goods, wares, and merchandise, 15-8-202
  - vehicles, on, See **Taxes**
- trailer dealer, 61-1-315
- transfer of ownership, 61-4-106, 61-4-131 — 61-4-137
- unlawful conduct, loss or damage caused by, 61-4-101
- used motor vehicles, 61-1-117
  - certificate of ownership requirements, 61-4-104, 61-4-111
  - records, 61-4-104
  - transfer procedures, 61-4-111, 61-4-121
- warranty on new vehicles, exemption from liability, 61-4-505
- wholesaler, 61-1-319

Definitions, Title 61, chapter 1
- agencies, Title 61, chapter 1, part 3
- alcohol concentration, 61-8-407
- child safety restraint systems, "properly restrained", 61-9-419
- collegiate license plate provisions, 61-3-462
- computer system, 61-3-347
- conviction, 61-5-213, 61-8-714, 61-8-722, 61-11-203
- crane, 61-10-124
- custom combining units, 61-10-130
- daytime, 61-8-303
- dealer plate provision, 61-4-103
- dealers, succession to ownership provisions, 61-4-131
- executive head, 61-5-404
- financial responsibility provisions, 61-6-102
- fleet vehicle provisions, 61-3-318, 61-3-323, 61-3-712
- forest development road, 61-8-110
- graveyard and wrecking facility provisions, 75-10-501
- habitual traffic offender provisions, 61-11-203
- highway traffic safety program provisions, 61-2-102
- hydraulic brake fluid, 61-9-314
- liability policy provisions, 33-23-201, 33-23-204, 33-23-217, 61-6-103
- manufacturer, distributor, and importer provisions, 61-1-316, 61-4-201, 61-4-221, 61-4-402, 61-4-501
- miscellaneous, Title 61, chapter 1, part 5
- mobile home, 61-4-309
- motor vehicle(s), 7-14-4103, 33-23-204, 61-1-102, 61-4-501, 61-13-102, 69-12-101
- nighttime, 61-8-303
- occupied structure, 45-2-101
- off-highway vehicle provisions, 23-2-801
- original Montana license plate, 61-3-412
- persons, 75-10-501; Title 61, chapter 1, part 3
- personalized license plates, 61-3-401
- private parking service, parking citations provision, 61-12-102
- roads, Title 61, chapter 1, part 2
- roadway, 61-1-206, 61-8-605
- safety glazing materials, 61-9-408
- salvage vehicle provisions, 61-3-210

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Definitions (Continued)

- seatbelt provisions, 61-13-102
- size, weight, and load provisions, 61-10-104, 61-10-105
- slow-moving vehicle, 61-8-311
- special service road, 61-8-110
- stolen and recovered motor vehicle report provision, 61-3-106
- tractor, 61-3-321
- traffic control, Title 61, chapter 1, part 4
- traffic-control signal, 61-1-402, 61-8-349
- under the influence, 61-8-401
- vehicles, 61-3-313; Title 61, chapter 1, part 1
- warranty on new motor vehicle provisions, 61-4-501
- ways of this state open to the public, 61-6-102, 61-8-101
- windshield and window tinting provisions, 61-9-405

Destructive device, possession — offense of, 45-8-334
Diesel powered, permit and taxes, See **TAXATION, GASOLINE AND VEHICLE FUELS, Special fuel license tax; Special fuel use tax**
Dimensions, See **Size, weight, and load**
Disabled persons, See also **Blind persons**
- hunting from vehicle, 87-2-803
- license plates, special, 49-4-304, 61-3-332, 61-3-446
- orange-colored international symbol required when, 87-2-803
- parking permits and special parking places, 49-4-301 — 49-4-307, 49-4-310, 61-3-332
- streams, ordinary high-water mark — operation of vehicle below allowed when, 61-8-371
- wheelchairs, motorized — use and regulation, 49-4-311, 49-4-312

Disabled veterans
- license plates, 61-3-332, 61-3-446, 61-3-452, 61-3-453, 61-3-455
- parking privileges, 49-4-302, 49-4-304, 61-3-454

Dissolution of marriage, summary dissolution proceedings — conditions, 40-4-130
Distribution and distributors, See **Manufacturers, distributors, and importers**
Divided highways, driving on, 61-8-330
Dolly or converter gear, 61-1-113, 61-10-104, See also **Size, weight, and load**
Doors
- glazing material in, 61-9-408
- opening and closing, 61-8-349, 61-8-368

Drag racing, 61-8-308, 61-8-717, 61-11-203
Driveaway transporters, Title 61, chapter 4, part 3
Driver education, See **Driver improvement program**; **SCHOOLS, Traffic education**
Driver improvement program, 61-2-103, 61-2-301, 61-2-302, 61-11-101
Drivers' licenses, 7-32-303, 37-2-311, 61-5-102
- address changes, 61-5-115
- administration of provisions, 61-5-125
- age requirements, 61-5-105, 61-5-106
- alcoholic beverages, alteration or unauthorized use to obtain, 61-5-206
- alteration, 61-5-206
- anatomical gift, document of gift or statement of refusal to make, 61-5-301, 72-17-102, 72-17-201
- appeals when, 61-5-211, 61-8-802, 61-8-805, 61-8-808
- applications, 61-5-107
  - cancellation of license, following, 61-1-505
  - fraud or false statements, 61-5-201, 61-5-206, 61-5-302
  - minors, 61-5-108
  - records, 61-11-102
  - refused when, 61-6-142
  - revocation or suspension of license, following, 61-1-504, 61-5-208
  - voter registration form, attachment, 61-5-107

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Drivers' licenses (Continued)

- blind persons, ineligibility, 15-30-303
- cancellation, 61-1-505, 61-5-201
  - anatomical gift document of gift, effect on, 72-17-201
  - appeal when, 61-5-211
  - minors' licenses, 61-5-108, 61-5-109, 61-5-202
- card games, live — dealer's temporary license obtained where, 23-5-308
- carrying and exhibiting, 61-5-116, 61-5-302, 61-7-105, 61-7-107
- chauffeurs, effect of and conversion to commercial driver's license, 61-5-111
- child support information, state information agency to obtain, 40-5-165
- city licenses, 7-21-4201, 61-5-102
- commercial driver's license, 61-1-135
  - accident, leaving the scene — effect, 61-8-809
  - appeals from suspension, 61-8-802, 61-8-805, 61-8-808
  - chauffeurs, effect on and conversion, 61-5-111
  - classification, 61-5-112
  - controlled substance, felony involving — effect, 61-8-804
  - conviction of traffic violations, effect, 61-8-803
  - disqualification under federal regulations, effect, 61-8-802
  - driving under the influence, effect, 61-8-805, 61-8-806, 61-8-808
  - employing driver without license, 61-5-305
  - enforcement, 61-5-117
  - examination requirements, 61-5-111, 61-5-112, 61-8-807
  - fee, 61-5-111, 61-5-121
  - foreign, no operation under — when, 61-5-210
  - hearings, 61-8-805, 61-8-808
  - issuance, 61-5-106, 61-5-117
  - nonresidents, 61-5-104, 61-5-210, 61-8-806
  - out-of-service vehicle, operation, 61-8-812
  - physician's report regarding driver's ability to operate vehicle, 37-2-311, 37-2-312
  - possession, to be in, 61-5-106
  - probationary license prohibited when, 61-8-805, 61-8-806, 61-8-811, 61-8-812
  - purpose of provisions, 61-8-801
  - refusal, 61-5-106
  - residency requirement, 61-5-103
  - school bus drivers, 20-10-103
  - seizure of license, 61-8-806
  - suspension or revocation, 61-5-107, 61-5-210, 61-8-802 — 61-8-806, 61-8-808 — 61-8-812
  - temporary, 61-5-106, 61-8-806, 61-8-812
  - valid when, 61-5-111
- concealed weapon, permit to carry — requirements, 45-8-321, 45-8-322
- confiscation, 45-5-624, 61-8-806
- contents, 61-5-111
- convictions, See **Convictions from violations**
- definitions, 61-1-135, 61-1-136, 61-1-309, 61-1-311, 61-1-503 — 61-1-505, 61-5-213, 61-6-102, 61-11-203
- driver license compact, 61-5-401
  - administrative actions, review, 61-5-406
  - administrator, 61-5-403
  - court abstracts or reports of convictions, disposition, 61-5-405
  - executive head, 61-5-404
  - license suspension or revocation, offenses applicable, 61-5-405
  - licensing authority, 61-5-402
- driving records, requirements, 61-5-107, 61-11-105
- driving without, 61-11-203

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Drivers' licenses (Continued)

- duplicate, 61-5-114
- enforcement of provisions, 61-5-117, 61-5-125
- examinations, 61-5-105 — 61-5-107, 61-5-110 — 61-5-112, 61-5-206, 61-5-207, 61-8-807
- exceptions, 61-5-105
- exemptions, 61-5-104
- exhibiting, 61-5-116, 61-5-302
- expiration, 61-5-111, 72-17-201
- false statements or affidavits, 61-5-205, 61-5-302, 61-5-303, 61-5-405
- fees, 61-2-107, 61-5-107, 61-5-110, 61-5-111, 61-5-114, 61-5-121, 61-5-214 — 61-5-216
    - disposition, 15-1-501, 20-7-504, 20-7-505, 61-2-107, 61-5-121
- financial responsibility, proof required, See **Financial responsibility**
- foreign, no operation under — when, 61-5-210
- habitual traffic offenders, 61-11-212, 61-11-213
- hearings, 61-5-113, 61-5-206, 61-5-211, 61-8-403, 61-8-805, 61-8-808
- identification
    - age, to establish, 16-11-305, 45-8-206
    - fishing, hunting, and trapping licenses — requirements, 87-2-106, 87-2-109, 87-2-202
    - in lieu of, See **Identification cards**
- instruction permits, 61-5-106 — 61-5-108
- interpretation of laws, uniformity, 61-5-308
- investigations, 61-5-207
- issuance unlawful when, 61-5-309
- justice, department of — responsibilities generally, 61-5-101
- lack of, 61-11-203
- law enforcement reserve officers, requirements, 7-32-213
- learner's permits, 61-5-106
- lending to other person, unlawful, 61-5-302
- local licenses, 61-5-102
- manufacture, unauthorized, 61-5-309
- minors, See **Minors**
- motorcycle endorsement
    - application for, 61-5-107
    - examination requirements, 20-7-511, 61-5-110
    - fee, 15-1-501, 20-7-504, 61-5-111, 61-5-121
    - traffic education permits, 61-5-106
    - valid when, 61-5-111
- name changes, 61-5-115
- new voter lists, preparation, 13-38-103
- nonresidents, See **Nonresidents**
- number allowed, 61-5-102, 61-5-111
- organ donation, document of gift or statement of refusal to make, 61-5-301, 72-17-102, 72-17-201
- out-of-state, surrender for Montana license when, 61-5-110
- peace officers, qualification for employment, 7-32-303
- photograph requirements, 61-5-111
- physician's report regarding driver's ability to operate vehicle, 37-2-311, 37-2-312
- probationary, 45-9-203, 61-2-302, 61-5-206, 61-11-101
    - not allowed when, 61-5-215, 61-8-402, 61-8-805, 61-8-806, 61-8-811, 61-8-812
- provisional, 61-5-111, 61-5-215
- receipts, sale of, 61-5-111
- records and indexes, See **Records and indexes**
- reinstatement and fees, 61-2-107, 61-5-214 — 61-5-216
- renewal, 61-5-111
- renting vehicles to other persons, 61-5-306
- residency requirement, 61-5-103

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Drivers' licenses (Continued)

- restricted licenses, 15-30-303, 61-2-302, 61-5-105, 61-5-106, 61-5-113, 61-5-206, 61-5-207, 61-5-215, 61-6-139, 61-11-101
  - not allowed when, 61-8-402
- revocation or suspension, 61-1-503, 61-1-504
  - accidents
    - failure to stop and remain at scene, 61-5-205, 61-7-103
    - reports, failure to make, 61-7-111
  - alcohol concentration, excessive, 61-5-205, 61-5-208, 61-8-722
  - anatomical gift document of gift, effect on, 72-17-201
  - appeal when, 61-5-211, 61-8-403
  - authority, 61-5-206
  - careless driving, for, 61-5-111, 61-5-206
  - commercial driver's license, 61-5-207, 61-5-210, 61-8-802 — 61-8-806, 61-8-808 — 61-8-812
  - conviction in other state, for, 61-5-204
  - court, recommendation by, 61-11-101
  - driver improvement program, effect of participation, 61-2-302
  - driving during, unlawful, 61-5-212, 61-6-151, 61-11-203
  - driving under the influence of alcohol or drugs, for, 61-5-205, 61-5-208, 61-8-402, 61-8-403, 61-8-722, 61-8-805, 61-8-806, 61-8-808
  - drug offenses, sentencing alternative, 45-9-202, 45-9-203
  - enforcement stayed when, 61-2-302
  - failure to appear or pay fine, 61-5-214
  - financial responsibility, failure to furnish proof, 61-6-122, 61-6-123, 61-6-125, 61-6-131, 61-6-141
  - foreign license, no operation under — during, 61-5-210
  - grounds for, 61-5-205 — 61-5-207, 61-5-214, 61-5-405, 61-7-103, 61-7-111, 61-8-802 — 61-8-806, 61-8-808 — 61-8-812
  - habitual traffic offenders, 61-11-211, 61-11-213
  - issuance of license during, prohibited, 61-5-105
  - judgments, for nonpayment, 61-6-122, 61-6-123, 61-6-125
  - liability insurance, cancellation upon, 33-23-211
  - mandatory when, 61-5-205, 61-5-208, 61-5-214, 61-11-101
  - minor's license when, 61-5-217, 61-8-723
  - nonresidents' privileges, 61-5-203, 61-5-204, 61-5-212
  - organ donation document of gift, effect on, 72-17-201
  - period of, 45-9-202, 61-2-107, 61-5-208, 61-6-123, 61-8-402, 61-8-802 — 61-8-806, 61-8-811, 61-8-812
    - extended when, 61-5-208, 61-5-212
  - provisional license when, 61-5-111
  - reckless driving, for, 61-5-205, 61-5-206, 61-5-405
  - records, 61-11-102
  - reinstatement fees, 61-2-107, 61-5-214 — 61-5-216
  - restricted licenses, when, 61-5-113
- roadblocks to check, 46-5-502
- rules, 61-5-111, 61-5-112, 61-5-117, 61-5-125
- sale of receipts, 61-5-111
- seizure, 61-8-402, 61-8-806
- selective service system, information to, 2-6-109, 61-5-126
- snowmobiles, required for operation on public roads when, 23-2-631
- surrender
  - cancellation, upon, 61-5-201
  - court to require when, 45-9-203, 61-11-101, 61-11-210
  - financial responsibility, failure to furnish proof, 61-6-112, 61-6-142, 61-6-151
  - habitual traffic offenders, 61-11-210

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Drivers' licenses (Continued)
- surrender (Continued)
  - out-of-state licenses, when, 61-5-102, 61-5-110
  - probationary license, prior to issuance, 61-5-206
  - refusal or neglect to, 61-5-206, 61-5-302, 61-6-112, 61-6-151
  - return to licensee, 61-2-302, 61-5-209
  - suspension or revocation, upon, 45-9-203, 61-5-209
- temporary licenses, 61-5-106, 61-8-806, 61-8-812
- traffic education permits, 61-5-105, 61-5-106
- unauthorized use, 61-5-206
- uniformity of interpretation of laws, 61-5-308
- unlawful
  - issuance, 61-5-309
  - use, 61-5-206, 61-5-302
- unqualified persons, 61-5-105
- valid when, 61-5-111
- voter lists prepared from records, 13-38-103
- voter registration form, attachment to application, 61-5-107
- who may not be licensed, 15-30-303, 61-5-105
- wildlife conservation license applications, identification for, 87-2-202

Driveways, See **Private roads or driveways**
Driving records, 33-18-210, 61-11-105, See also **Records and indexes**
Driving under the influence of alcohol or drugs
- absolute liability, 61-8-401, 61-8-406
- aircraft, operation — provisions applicable, 67-1-211
- "alcohol concentration" defined, 61-8-407
- alcohol concentration, excessive
  - commercial driver's license, suspension, 61-8-805, 61-8-806, 61-8-808
  - conviction, 61-8-722, 61-11-203
  - driver's license, revocation or suspension, 61-5-205, 61-5-208, 61-8-722, 61-8-805, 61-8-806, 61-8-808
  - unlawful, 61-8-406, 61-8-722, 67-1-211
- arrest bond certificates not permitted, 46-9-414
- blood, breath, or urine tests, 23-2-535, 61-8-401, 61-8-402, 61-8-404, 61-8-405, 61-8-806 — 61-8-808, 67-1-211
- boating, waterskiing, and surfboarding — provisions applicable, 23-2-535
- breathalyzer equipment, 61-2-107
- chemical dependency treatment programs, 45-5-624, 61-5-208, 61-8-714, 61-8-722, 61-11-101
- conviction, 61-8-408, 61-8-714, 61-8-722, 61-11-203
- criminally injurious conduct, 53-9-103
- crime victims compensation, 53-9-103
- driver's license
  - revocation or suspension, 61-5-205, 61-5-208, 61-8-402, 61-8-722, 61-8-805, 61-8-806, 61-8-808
    - appeal, right of, 61-8-403, 61-8-805, 61-8-808
  - seizure, 61-8-402
  - temporary driving permits, 61-8-402, 61-8-806
- evidence
  - admissibility, 23-2-535, 61-8-404, 61-8-405, 61-8-808, 67-1-211
  - forfeiture, rebuttable presumption, 61-8-421
  - inferences, 23-2-535, 61-8-401, 67-1-211
- forfeiture of vehicle, 61-8-421, 61-8-714, 61-8-722
- local authorities, powers, 53-24-106, 61-8-401, 61-12-101
- negligent vehicular assault, 45-5-205, 61-5-205, 61-11-203
- open containers of alcoholic beverages unlawful when, 16-3-106
- penalty, 53-24-106, 61-8-714, 61-8-722

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Driving under the influence of alcohol or drugs (Continued)

- "per se" d.u.i., 61-8-406, 61-8-714, 61-8-722
- prevention programs, 61-2-106 — 61-2-108
- sentencing, 46-18-201, 61-5-208, 61-8-714, 61-8-722
- traditional d.u.i., 61-8-401, 61-8-714
- "under the influence" defined, 61-8-401
- unlawful, 53-24-106, 61-8-401

Emergency vehicles, See **Authorized emergency vehicles**
Emissions, 75-2-112, 75-10-602, See also **AIR QUALITY, Emissions**
Enforcement
- dealer and manufacturer provisions, 61-3-602
- equipment provisions, Title 61, chapter 9, part 5
- fish and game wardens, powers, 87-1-506
- gross vehicle weight provisions, 61-10-231
- justice, department of — civilian inspectors, 44-1-1005
- license plate provisions, 61-3-602
- off-highway vehicle provisions, 23-1-122, 23-2-804, 23-2-806, 23-2-807, 87-1-503
- registration provisions, 61-3-602
- size, weight, and load provisions, 61-10-141
- traffic laws, 61-8-111, 61-8-112; Title 61, chapter 8, part 7
- transportation, department of — by, Title 61, chapter 12, part 2
- warranty period on new vehicles, after, 61-4-502

Equipment generally
- application of laws, 61-9-101, 61-9-109, 61-9-207
- dealership or distribution contracts, cancellation — inventory repurchase requirements, Title 30, chapter 11, part 7
- exceptions to provisions, 61-9-101, 61-9-109
- local authorities, power, 61-9-103
- obedience to laws and law enforcement officers, 61-9-104, 61-9-105
- public officers and employees, responsibility, 61-9-106
- rules governing and violation, 61-9-504, 61-9-512
- safety equipment
  - rules, 61-9-504, 61-10-102
  - width limits, exclusion from, 61-10-102
- uniformity of provisions, 61-9-102, 61-9-103

Equipment Safety Compact, Vehicle, 61-2-201
- commission
  - documents filed and notices given by, 61-2-207
  - employees' retirement, 61-2-205
  - funds, 61-2-208
  - governmental agencies, cooperation, 61-2-206
  - recommendations by, 61-2-202
  - rules or codes, 61-2-203
- executive head, 61-2-209
- legislative findings, 61-2-202
- provisions continued in force, 61-2-203
- report to legislature, 5-11-210
- state commissioner, 61-2-204, 61-2-207

Execution, exemption, 25-13-609
Explosives or flammable liquids, vehicles carrying, 61-9-413
- disabled, display of warning devices, 61-9-412
- "explosives" defined, 61-1-506
- "flammable liquid" defined, 61-1-507
- railroad grade crossings, stopping at, 61-8-349
- rulemaking authority, 50-3-102, 50-3-103
- warning devices, 61-9-411, 61-9-412

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Farm vehicles, 61-1-109, 61-1-134; Title 30, chapter 11, part 8, See **Gross vehicle weight fees; Implements of husbandry; Special mobile equipment**
Fees generally
- disposition, 7-14-2511, 7-14-2512, 10-2-603, 15-1-501, 20-7-504, 20-7-505, 23-2-804, 23-2-809, 23-2-811, 23-2-812, 23-2-814, 23-2-817, 23-2-818, 61-3-108, 61-3-202, 61-3-325, 61-3-332, 61-3-431, 61-3-465, 61-3-512, 61-5-121, 75-10-532, 75-10-533
- gross vehicle weight, See **Gross vehicle weight fees**
- statutes providing for, effective date, 1-2-201
- taxes, fees in lieu of, See **Taxes**

Felony in commission of which motor vehicle is used, 61-5-205, 61-8-804, 61-11-203
Fenders, 61-8-366, 61-9-219, 61-9-407, 61-9-515
55 Alive Mature Driving Program, 33-16-203, 33-16-221 — 33-16-225
Financial responsibility
- actions, 61-6-108, 61-6-110, 61-6-137
- administration of provisions, 61-6-105
- appeal procedures, 61-6-106
- assigned risk plans, 61-6-144
- bonds, 61-6-137
  - cancellation or termination, 61-6-112, 61-6-140
  - liability insurance, in lieu of, 61-6-137, 61-6-301, 61-6-302
  - proof, as, 61-6-132, 61-6-304
- citation of motor vehicle safety-responsibility act, 61-6-101
- definitions, 61-6-102, 61-6-103
- drivers' licenses, 61-6-102
  - revocation or suspension, 61-6-122, 61-6-123, 61-6-125, 61-6-131, 61-6-141, 61-6-151
  - surrender, 61-6-112, 61-6-142, 61-6-151
- enforcement of provisions, 61-6-105
- exceptions, 61-6-109, 61-6-303, 61-6-304
- hearings, 61-6-105, 61-6-106, 61-6-143
- insurance carriers, See **Insurance carriers**
- judgments, 61-6-102
  - default, 61-6-125
  - installment payments, 61-6-125
  - nonpayment, 61-6-121 — 61-6-123, 61-6-125, 61-6-143
  - satisfaction, 61-6-124, 61-6-138
- liability insurance, See **Liability insurance**
- license plates, cancellation or surrender when, 61-6-302
- money or securities, certificate or deposit, 61-6-132, 61-6-138, 61-6-140, 61-6-142
  - accident reports, information from, 61-7-109, 61-7-114
- nonresidents, See **Nonresidents**, operating privilege
- owners of vehicles
  - employee drivers, liability for, 61-6-201
  - proof for others, permitted to give when, 61-6-139
- proof, 61-5-105, 61-6-102, 61-6-131 — 61-6-142, 61-6-302, 61-6-304
  - forged or signed without authority, penalty, 61-6-151
  - habitual traffic offenders, filing, 61-11-212
  - self-insurance, 61-6-132, 61-6-304
- registration of vehicle
  - cancellation or surrender, 61-6-302
  - suspension, 33-23-211, 61-6-141
- relief for plaintiff, 61-6-110
- rules, 61-6-105
- self-insurance, 61-6-132, 61-6-143, 61-6-302, 61-6-304
- uniformity of interpretation, 61-6-104

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Financial responsibility (Continued)

uninsured motorist coverage, 33-23-201, 33-23-203, See also **Liability insurance**
violations and penalties, 61-6-151, 61-6-302, 61-6-304
Fines and forfeitures, See **Violations**
Fire
apparatus, following — prohibited, 61-8-363
damage to vehicle, 61-3-202, 61-3-210 — 61-3-212
department or patrol vehicles, See **Authorized emergency vehicles; FIRE DEPARTMENTS AND FIREFIGHTERS, Fire engines and apparatus**
extinguishers, carrying when, 61-9-413, 61-9-416
hose, crossing, 61-8-364
hydrants or stations — stopping, standing, or parking prohibited when, 61-8-354
prevention and safety rules, 50-3-103
Firefighters' private vehicles, use of red lights, 61-9-227, 61-9-514
Fireworks — discharge from, inside, or toward prohibited, 50-37-103
Fish and wildlife regulations, See **FISH AND WILDLIFE, Vehicles**
Fishing licenses, licensing and titling as residence requirement, 87-2-102
Flag persons or vehicles, 61-1-403, 61-1-411, 61-1-412
funeral escort vehicle, driver as — when, 61-8-380, 61-8-383
railroad grade crossings, at, 61-8-347, 61-8-349, 61-8-350
slow-moving vehicles, 61-9-415
wide loads, for, 61-10-102, 61-10-123
Flag requirements, 61-9-213, 61-9-411 — 61-9-413, 61-10-102, 61-10-123
Flammable liquids, vehicles carrying, See **Explosives or flammable liquids, vehicles carrying**
Flaps, requirements, 61-9-407, 61-9-515
Flares, See **Reflectors; Warning devices**
Fleet registration, 61-3-323 — 61-3-325
Fleet vehicle registration, 61-3-711, See also **Foreign vehicle registration; Taxes**
additional vehicles, 61-3-724
audits, 61-3-725, 61-3-728
authority, 61-3-713, 61-3-714
definitions, 61-3-318, 61-3-712
fuel tax agreement, international, 15-70-104, 15-70-121, 15-70-122, 15-70-302
identification devices, 61-3-722, 61-3-725
laws
other, relationship to, 61-3-729
supplemental to registration law, 61-3-733
liability insurance requirements, exemption when, 61-6-303
license plates, 61-3-722, 61-3-725
new, estimated mileage, 61-3-726
proportional registration
additional vehicles, 61-3-724
agreements for, 61-3-716, 61-3-732
application and fee, 61-3-721, 61-3-726
cards, 61-3-722, 61-3-725
denial when, 61-3-727
exclusivity, 61-3-720
jurisdiction, single — applicability, 61-3-723
records, 61-3-728
withdrawal or replacement of vehicles, 61-3-725
reciprocity
agreements, provisions, or standards, 61-3-714, 61-3-731, 61-3-732
automatic, when, 61-3-719
base state registration, 61-3-715
extent, declaration of, 61-3-717

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Fleet vehicle registration (Continued)
  reciprocity (Continued)
    lack of, effect, 61-3-727
    lessees, extension to, 61-3-718
    suspension of benefits, 61-3-730
  rental fleets, 61-3-313, 61-3-318
  special fuel user's permit, display not required, 15-70-302
  tax payment requirements, 15-24-101 — 15-24-105, See also **Taxes**
  temporary, 61-3-722
Fleet vehicles
  auto auctions, fleet sales, 61-4-120
  rentals
    new vehicle sales tax, 61-3-502
    registration, 61-3-313, 61-3-318
    taxes, computation, 61-3-504
Following too closely, 61-8-329, 61-8-382
Foreign vehicle registration, 61-3-701 — 61-3-704, 61-3-707, See also **Fleet vehicle registration**
Forest development roads, 61-8-110 — 61-8-112
Forest lands, spark arresters required, 76-13-125
Forfeiture of bail, See **Convictions from violations**
Forfeiture of vehicle, 61-8-421, 61-8-714, 61-8-722
Four-wheel-drive vehicles, traction equipment, 61-9-406
Franchises, See **Manufacturers, distributors, and importers**
Fuel conservation speed limit, See **Speed**, limit
Funeral processions
  authorized emergency vehicles, right-of-way, 61-8-380, 61-8-383
  definitions, 61-1-413 — 61-1-415
  driving in, 61-8-382
  escort vehicle, 61-1-413, 61-8-380
  equipment requirements for vehicles, 61-8-381
  following too closely, nonapplicability, 61-8-329, 61-8-382
  intersections, 61-8-380, 61-8-383
  lead vehicle, 61-1-414, 61-8-380
  liability, 61-8-384
  lights, requirements, 61-8-381, 61-8-382
  right-of-way, 61-8-380, 61-8-383
  speed limit, 61-8-382
  traffic-control devices, obedience to — exceptions, 61-8-201, 61-8-380, 61-8-383
  vehicles not in procession, 61-8-380, 61-8-329, 61-8-383
Gasohol, state vehicles — use requirements, 2-17-414
Glass, 61-9-408, See also **Windshields and windows**
  repair shops, prohibited practices, 30-14-225, 33-18-221 — 33-18-223, 33-18-1006
Grain trucks, 80-4-722
Graveyards and wrecking facilities
  abandoned vehicles in possession, notice requirements, 61-12-402
  administration of provisions, 75-10-503, 75-10-533
  appeals, 75-10-515
  auto auctions, 61-4-120
  certificates of ownership of vehicle, 61-3-211, 75-10-512 — 75-10-514, 75-10-522
  counties
    budgets, 75-10-503, 75-10-521, 75-10-534
    graveyards, 75-10-503, 75-10-521
  crushing and recycling of vehicles, 75-10-531, 75-10-532
  dealer and wholesaler provisions, nonapplicability, 61-4-101
  definitions, 75-10-501
  establishment, 75-10-503, 75-10-521

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Graveyards and wrecking facilities (Continued)

- evidence of facility, 75-10-502
- fees
  - disposal of junk vehicles, 75-10-513
  - disposition, 75-10-532
  - licenses, 75-10-511
  - report, 75-10-533
- hearings, 75-10-516
- individual use, 75-10-522
- injunction, 75-10-541
- inspections, 75-10-503, 75-10-512, 75-10-521, 75-10-541
- insurance companies, disposal of vehicle when, 75-10-520
- junk vehicles, removal to facility, 75-10-505, See **Junk vehicles**
- land, acquisition for, 75-15-223
- licenses, 75-10-503, 75-10-504, 75-10-511, 75-10-514 — 75-10-516, 75-10-532
- penalties for violations, 75-10-541, 75-10-542
- public view, 75-10-501
- records, 61-12-402, 75-10-503, 75-10-512, 75-10-513
- recycling and crushing of vehicles, 75-10-531, 75-10-532
- relocation or removal, 75-15-223
- rules, 75-10-503, 75-10-513, 75-10-514, 75-10-521, 75-10-541, 75-10-542
- salvage vehicles, 61-3-211, 61-3-212
- shielding, 75-10-501, 75-10-503 — 75-10-505, 75-15-223
- stolen vehicles, 75-10-514
- title to vehicles, 75-10-514, 75-10-522
- violations and penalties, 75-10-541, 75-10-542

Gross vehicle weight fees, See also **Size, weight, and load**

- administration of provisions, 61-12-201, See **Peace officers, departmental**, generally
- alternative, 61-10-203
- cities and towns, tax by — prohibited when, 61-10-215
- combine harvesters, special permits in lieu of, 61-10-130
- disposition, 61-10-225, 61-10-226
- enforcement of provisions, 61-10-231
- enumeration, 61-10-201, 61-10-203
- excess weight, penalty, 61-10-130, 61-10-233
- exemptions, 61-10-203, 61-10-214
- farm vehicles, 61-10-206, 61-10-214
- fertilizer spreader trucks and trailers, 61-10-206
- fleet vehicles, 61-3-725
- forms, 61-10-225, 61-10-227
- "gross weight" defined, 61-1-502
- license, 61-10-209, 61-10-223, 61-10-224, 61-10-227
- livestock, vehicles hauling, 61-10-144
- local tax prohibited when, 61-10-215
- logging trucks, 61-10-124
- lowboy trailers, 61-10-206
- nonresidents, 61-10-211 — 61-10-214
- out-of-state vehicles, 61-10-211 — 61-10-213
- payment, 61-10-209, 61-10-213, 61-10-222
- purpose, 17-5-903, 61-10-221
- rulemaking authority, 61-10-155
- special vehicle combinations, 61-10-124
- temporary trip permits, 61-10-212
  - liquefied petroleum gas, vehicles self-propelled by, 15-71-102
  - special fuel user, 15-70-311
- transporters, driveaway or towaway — election to pay, 61-4-305

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Gross vehicle weight fees (Continued)

- violations, 61-10-209, 61-10-232, 61-10-233, 61-12-206

Habitual traffic offenders
- adjudged to be, 61-11-210
- complaint against, filing, 61-11-205, 61-11-206
- construction of provisions, 61-11-215
- court proceedings, 61-11-207, 61-11-208, 61-11-210
- definitions, 61-11-203
- driving record to define, 61-11-204
- financial responsibility, proof of — filing, 61-11-212
- legislative intent, 61-11-202
- license, 61-11-203
  - reissuance when, 61-11-212
  - revocation, 61-11-211, 61-11-213
  - surrender ordered when, 61-11-210
- operation of motor vehicle prohibited, exception, 61-11-213
- penalties, 61-11-212
- point system, 61-11-203, 61-11-210, 61-11-211
- purpose of provisions, 61-11-201
- records of convictions
  - certified copies, 61-11-204
  - evidence, as, 61-11-207
  - operation of motor vehicle while operation prohibited, effect, 61-11-213
- service of process, 61-11-209

Handicapped persons, See **Blind persons**; **Disabled persons**
Hazardous materials, 61-1-137
- commercial motor vehicles, transporting, 61-1-134, 61-8-805, 61-8-806, 61-8-811

Hazardous or deleterious substance, release, 75-10-701
Hazards
- lights, 61-9-219, 61-9-226, See also **Lamps**, warning
- livestock, caused by, 60-7-103
- special, speed, 61-8-303, 61-8-309

Hearses, 61-1-414, 61-9-405
Height, 61-10-103, See also **Size, weight, and load**
Highway traffic safety program, See **Traffic safety program**
Horns, 61-8-504, 61-9-401
"Household hazardous waste" defined, 75-10-203
Housetrailers, See **MOBILE HOMES, HOUSETRAILERS, AND TRAILER COURTS**
Hunting from, unlawful and exception, 61-8-369, 87-1-102, 87-2-803, 87-3-101
Hunting licenses, licensing and titling as residence requirement, 87-2-102
Husbandry, implements of, See **Implements of husbandry**
Identification cards
- issuance, 61-5-309, 61-12-501 — 61-12-504
- mail delivery vehicles, for use of amber lights, 61-9-229
- off-highway vehicle dealers, 23-2-818
- private vehicles displaying emergency red lights, owners, 61-9-227
- unauthorized or unlawful use, 61-5-206, 61-5-302

Identification numbers, 61-3-101, 61-3-107, 61-3-202, 61-3-210
- altering, 45-6-326, 61-3-107, 61-3-202, 61-3-604
- collector's item vehicles, 61-3-411
- junk vehicles, 75-10-512, 75-10-513
- odometer disclosure requirements, 61-3-206
- off-highway vehicles, 23-2-811, 23-2-812
- stolen vehicle file, state automated — checking prior to registration, 61-3-106
- used motor vehicles, 61-4-104
- window tinting or sunscreening standards, waiver — contents, 61-9-428

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Implements of husbandry, 61-1-121
  dealers, oversize permits, 61-10-121, 61-10-122, 61-10-124
  driver's license exemption, 61-5-104
  equipment provisions, applicability, 61-9-109
  farm tractors and equipment, 61-1-109
    lamp requirements, 61-9-215, 61-9-216, 61-9-513
    permits for operation on highways when, 61-9-406
    tires, 61-9-406
  lamps, 61-9-215, 61-9-216, 61-9-513, 61-10-102
  liability insurance requirements, exemption, 61-6-303
  special mobile equipment identification plates, exemption, 61-3-431
  width, 61-10-102
Importers, See **Manufacturers, distributors, and importers**
Impoundment
  abandoned vehicles, See **Abandoned vehicles**, generally
  gross vehicle weight fees, nonpayment, 61-10-209
  minors' vehicles, 61-8-723
  private parking services, by, 61-12-102
Incompetent drivers, reexamination or investigation or license suspension, 61-5-206, 61-5-207
Indexes, See **Records and indexes**
Inspections, 61-9-501 — 61-9-503
  accident reports, 61-7-114
  compliance by owners and drivers, 61-9-503
  dealers and wholesalers, 61-4-101, 61-4-104
  driver's license, 61-5-306
  excess size and weight permits, 61-10-142
  graveyards, 75-10-503, 75-10-512
  gross vehicle weight provisions, pertaining to, 61-10-231
  identification numbers, 61-3-107, 61-3-202
  license plates, original Montana, 61-3-412
  motor-driven cycles, brakes, 61-9-315
  peace officers, departmental — by, 44-1-1005, 61-10-141, 61-12-205
  records, 61-3-101, 61-4-101, 61-4-104, 61-5-306, 75-10-512
  registration, 61-12-205
  salvage vehicles, 61-3-202
  special mobile equipment identification plate, receipt, 61-3-434
  weigh stations, at, 61-10-141
  wrecking facilities, 75-10-503, 75-10-512
Installment sales, 31-1-202, 31-1-231
Insurance
  company or adjuster, transfer of interest by, 61-3-205
  conservation speed limit violations, effect, 61-11-103
  fraud, 61-3-106
  glass repair shops, prohibited practices, 30-14-225, 33-18-221 — 33-18-223, 33-18-1006
  liability, See **Liability insurance**
  recovery of damages in excess of last written offer to agent, attorney's fees, 25-10-302, 25-10-303
  roadblocks to check, 46-5-502, 46-5-510
Insurance carriers
  assigned risk plans, 61-6-144
  cancellation of policy
    notice of, 33-23-211 — 33-23-213, 33-23-216
    unearned premium, return, 33-23-217
  certificate of insurance, 61-6-133, 61-6-134

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Insurance carriers (Continued)

- conservation speed limit violations, effect on insured, 61-11-103
- default, effect, 61-6-134
- driving record, adverse information in — effect, 33-18-210
- 55 alive mature driving program, 33-16-203, 33-16-221 — 33-16-225
- fraud, insurance — information, notice, and liability, 61-3-106
- liability, 61-6-103
- motor vehicles
  - disposal by carrier when, 75-10-520
  - transfer of ownership when, 61-3-205
- nonrenewal of policy, notice, 33-23-214 — 33-23-216
- points or surcharge prohibited when, 33-18-210
- power of attorney, 61-6-134
- proof of insurance, card issued for, 61-6-302
- salvage vehicles, 61-3-210, 61-3-211
- theft of vehicle — information, notice, and liability, 61-3-106
- violations, 33-23-212

Intersections, 61-1-212
- bicycle turn procedures, 61-8-333, 61-8-336, 61-8-338, 61-8-605
- “caution” signal, 61-8-209
- crosswalks, See **Crosswalks**
- divided highways, 61-8-330
- funeral processions, 61-8-380, 61-8-383
- overtaking vehicles in, prohibited, 61-8-325
- pedestrians, 61-8-501
- signal legend, 61-8-207
- speed, 61-8-303, 61-8-309, 61-8-310
- stop, 61-8-209, 61-8-341, 61-12-101
- stopping, standing, or parking prohibited when, 61-8-354
- stop signs, stopping at, 61-8-344
- turning methods, 61-8-333, 61-8-336, 61-8-340, 61-12-101
- vehicles
  - approaching or entering, 61-8-339
  - entering stop, 61-8-341
  - turning left at, 61-8-340
- “yield” intersection, 61-8-342

Judgments
- auto auctions, unlawful conduct — for, 61-4-120
- dealer’s or wholesaler’s unlawful conduct, for, 61-4-101
- financial responsibility, See **Financial responsibility**

Junk vehicles, 75-10-501, See also **Graveyards and wrecking facilities; JUNKYARDS**
- abandoned vehicles as, 61-12-402
- collection, plan, 75-10-521
- control, rules, 75-10-503
- crushing and recycling, 75-10-531
- disposal, 61-12-402, 75-10-513, 75-10-521
  - fee, 61-3-508, 75-10-513, 75-10-533
  - individuals, by, 75-10-522
- farming or ranching operations, exemption, 75-10-505
- floodplains, as obstructions within, Title 76, chapter 5, See **FLOODPLAINS AND FLOODWAYS, Obstructions**
- licensing exemption, 61-3-301
- possession as evidence of wrecking facility, 75-10-502
- rebuilt, reclaiming certificate of ownership, 75-10-513
- records, 61-12-402
- removal, 75-10-505

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Junk vehicles (Continued)

- rivers and streams, as reinforcement — prohibited, 75-7-106
- sale
  - counties, by, 75-10-521
  - money, disposition, 75-10-532, 75-10-534
  - rules, 75-10-503, 75-10-521
- salvage value, 75-10-534
- shielding, 75-10-505
- single movement permit exemption, 61-4-310
- transporters, exemption from motor carrier laws, 69-12-102

Lamps

- additional, 61-9-208, 61-9-219
- alternate equipment, 61-9-224
- amber, 61-8-351, 61-8-381, 61-9-209, 61-9-214, 61-9-215, 61-9-218, 61-9-219, 61-9-229, 61-9-402
- animal-drawn vehicles, 61-9-216, 61-9-513
- auxiliary, 61-9-204, 61-9-217, 61-9-220, 61-9-225, 61-9-226
- back-up, 61-9-209, 61-9-219
- blue, 61-9-402
- clearance, 61-9-207 — 61-9-212, 61-9-228
- farm tractors and equipment, 61-9-215, 61-9-216, 61-9-513
- fender, 61-9-219
- flashing
  - authorized emergency vehicles, 61-9-226, 61-9-402
  - funeral procession vehicles, 61-8-382
  - haystack movers, 61-10-123
  - hazard or warning lights, 61-9-219, 61-9-226
  - mail delivery vehicles, 61-9-229
  - prohibited when, 61-9-226
  - school buses, See **SCHOOL TRANSPORTATION, Buses**
  - signal lamps, 61-9-218, 61-9-226
  - snow-removal equipment, 61-9-226, 61-9-228
  - tow trucks, 61-9-416
- fog, 61-9-217
- funeral processions, vehicles in, 61-8-381, 61-8-382
- green, 61-9-402
- headlamps, 61-8-312, 61-9-203, 61-9-215, 61-9-217, 61-9-223
  - beam indicators, 61-9-220
  - dimmed when, 61-9-214, 61-9-220, 61-9-221
  - funeral procession vehicles, 61-8-382
  - motorcycles, 61-8-359
  - multiple-beam, 61-9-220, 61-9-221
  - number permitted, 61-9-225
  - quadricycles, 61-8-359
  - single-beam, 61-9-222
  - snow-removal equipment, 61-9-228
  - visibility distance, 61-9-220
- implements of husbandry, 61-9-215, 61-9-216, 61-9-513, 61-10-102
- lack of, 61-9-109, 61-9-513
- lighted, required when, 61-9-201, 61-9-207, 61-9-224
- mail delivery vehicles, 61-9-229
- motorcycles, 61-8-359, 61-9-203, 61-9-204
- motor-driven cycles, 61-9-204
- mounted height, 61-9-202 — 61-9-205, 61-9-210, 61-9-217, 61-9-219, 61-9-402
- multiple-beam equipment, 61-9-220, 61-9-221
- number required or permitted, 61-9-225

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Lamps (Continued)

- obstructed, requirements, 61-9-212
- parked vehicles, 61-9-214
- passing, 61-9-217, 61-9-220, 61-9-221
- projecting load, on, 61-9-213
- quadricycles, 61-8-359, 61-9-203, 61-9-204
- red
    - animal-drawn vehicles, 61-9-216
    - authorized emergency vehicles, 61-9-402
    - back-up lamps, 61-9-209
    - bicycles, 61-8-607
    - blinker type, 61-9-227
    - clearance marker, 61-9-209
    - farm tractors and equipment, 61-9-215, 61-9-216, 61-9-513
    - firefighter's private vehicle, 61-9-227, 61-9-514
    - implements of husbandry, 61-9-215, 61-9-216, 61-9-513
    - parked or stopped vehicles, 61-9-214
    - prohibited when, 61-9-226
    - revolving, 61-9-227, 61-9-402
    - road machinery, 61-9-216, 61-9-513
    - school buses, See **SCHOOL TRANSPORTATION, Buses**
    - search and rescue personnel, private vehicles, 61-9-227
    - side marker lamps, 61-9-209
    - signal lamps, 61-9-218
    - stop lamps, 61-9-209, 61-9-218
    - taillamps, 61-9-204
    - tow trucks, 61-9-416
    - visibility distance, 61-9-213, 61-9-216, 61-9-226, 61-9-402, 61-9-416
    - volunteer emergency medical personnel, private vehicles, 61-9-227
    - warning lights, 61-9-219
- restrictions, special, 61-9-226
- road machinery, 61-9-216, 61-9-513
- running board courtesy, 61-9-219
- side cowl, 61-9-219
- side marker, 61-9-207 — 61-9-211
- signal, 61-8-337, 61-8-382, 61-9-209, 61-9-218, 61-9-226, 61-9-402
- single-beam equipment, 61-9-222
- snow-removal equipment, 61-9-228
- spot, 61-9-217, 61-9-225
- stop, 61-9-206 — 61-9-209, 61-9-218
- taillamps, 61-9-204, 61-9-205
    - funeral procession vehicles, 61-8-382
    - reflectors, incorporated with, 61-9-210
- visibility distance, 61-8-381, 61-9-202, 61-9-204, 61-9-214 — 61-9-216, 61-9-218, 61-9-219, 61-9-402
- warning, 61-8-382, 61-9-219, 61-9-226, 61-9-402, 61-9-416, 61-10-123
- white
    - animal-drawn vehicles, 61-9-216, 61-9-513
    - bicycles, 61-8-607
    - farm tractors and equipment, 61-9-215, 61-9-216, 61-9-513
    - fender or side cowl, 61-9-219
    - implements of husbandry, 61-9-215, 61-9-216, 61-9-513
    - license plates, illumination, 61-9-204, 61-9-209
    - parked or stopped vehicles, 61-9-214
    - road machinery, 61-9-216, 61-9-513
    - running board courtesy, 61-9-219

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Lamps (Continued)
  white (Continued)
    signal, 61-9-218
    warning, 61-9-219
  yellow, 61-9-209
Law enforcement network system (LENS), entries of vehicle theft and recovery, 61-3-106
Leases
  child safety restraint systems, 61-9-423
  dealers and wholesalers
    demonstration vehicles, lease prohibited, 61-10-214
    license plates, use restrictions, 61-4-103
  default, transfer of interest, 61-3-201
  fleet vehicle registration, reciprocity, 61-3-718
  government vehicles
    driver's license exemption, 61-5-104
    junk vehicle disposal fee, exemption, 61-3-508
    registration, 61-3-313
  graveyards, property for, 75-10-521
  manufacturers, financing sale of vehicles, 61-4-402
  "owner" defined, 61-1-310
  seatbelt requirements for leased vehicles, 61-9-409
  special mobile equipment, 61-3-431
Length, See **Size, weight, and load**
Liability insurance
  assigned risk plans, 61-6-144
  card issued for, 61-6-302
  carriers, See **Insurance carriers**
  certificate of, 61-6-132 — 61-6-134, 61-6-140, 61-6-302
  county sheriff, on privately owned vehicles when, 7-32-2126
  damages, payments as collateral source reduction, 27-1-307, 27-1-308
  definitions, 33-23-201, 33-23-204, 33-23-217, 61-6-103
  driving record, adverse information in — effect, 33-18-210
  duplicate payments, prevention, 33-23-203
  elderly drivers, premium discount, 33-16-203, 33-16-221 — 33-16-225
  exclusion of named family members, 61-6-301
  information and privacy protection, Title 33, chapter 19
  lack of, penalty, 61-6-304, 61-11-203
  limits of liability, 33-23-201, 33-23-203, 61-6-103
  mandatory, 61-6-301, 61-6-303, 61-6-304
    compliance, proof of, 61-6-142, 61-6-302
  minors, negligence — liability, 61-5-108
  nonresidents, exemption from requirements when, 61-6-303
  policies, 33-23-204, 61-6-103
    cancellation or termination, 33-23-211 — 33-23-217, 61-6-112, 61-6-135
    coverage, limits, 33-18-210, 33-23-201, 33-23-203, 61-6-103
    deductibles, modification, 33-23-211
    mortgagor, copy to, 33-15-412
    nonrenewal, 33-23-214 — 33-23-216, 61-6-103
    other, how affected, 61-6-136
    points or surcharge prohibited when, 33-18-210
    renewal, 33-23-214
    termination, 33-23-214
    vendee, copy to, 33-15-412
  premiums
    discount, 33-16-203, 33-16-221 — 33-16-225
    nonpayment, 33-23-211, 33-23-212, 33-23-214, 33-23-217

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Liability insurance (Continued)

- reimbursement for total loss
    - basis, 33-23-202
    - disposal of vehicle, 75-10-520
- replacement value, 33-23-202
- retail installment sale contracts, nonapplicability, 31-1-231
- school buses, 20-10-109
- school transportation, 20-10-124
- seatbelt violations, effect, 61-13-104
- self-insurance, 61-6-132, 61-6-143, 61-6-302, 61-6-304
- state statutes, conformity with, 33-23-103
- surplus lines, See **INSURANCE, SURPLUS LINES**
- uninsured motorist coverage, 33-23-201, 33-23-203

License plates, See also **Registration**; **Taxes**
- amateur radio operators, 61-3-421 — 61-3-425
- assignment, 61-3-331
- auto auction, 61-4-120
- cancellation when, 61-6-302
- centennial, 2-89-301 — 2-89-303, 61-3-448
- city or town vehicles, 61-3-332
- civil air patrol vehicles, 61-3-332
- collector's item vehicles, 2-89-302, 61-3-411, 61-3-412
- collegiate, 61-3-463
    - application for, 61-3-464 — 61-3-466
    - citation of Montana collegiate license plates act, 61-3-461
    - definitions, 61-3-462
    - issuance and fee, 61-3-463, 61-3-465
    - personalized, 61-3-466
    - scholarship donations, 61-3-465, 61-3-467
    - special plate provisions, nonapplicability, 61-3-332
- confidential, 44-4-201 — 44-4-206
- county vehicles, 61-3-332
- dealers and wholesalers, motor vehicle, See **Dealers and wholesalers**
- definitions, 61-3-401, 61-3-462
- demonstrator plates, 61-3-301, 61-4-101 — 61-4-103
- description, 2-89-302, 2-89-303, 61-3-332, 61-3-403, 61-3-421, 61-3-463, 61-4-223
- destruction, 61-3-333
- disabled persons, 49-4-304, 61-3-332, 61-3-446
- disabled veterans, 61-3-332, 61-3-446, 61-3-452, 61-3-453, 61-3-455
- display on vehicle, 44-4-205, 49-4-304, 61-3-301, 61-3-312, 61-3-332, 61-3-412, 61-3-448, 61-3-526, 61-3-701, 61-3-702, 61-4-101, 61-4-103, 61-4-120, 61-4-307
- duplicates, 61-3-332, 61-3-333
- enforcement of provisions, 61-3-602
- exemptions, 61-3-301
- fees generally, 61-3-311, 61-3-312, 61-3-321
- fleet registration, 61-3-324
- fleet vehicles, 61-3-722, 61-3-725
- foreign vehicles, 61-3-701, 61-3-702
- gross vehicle weight fees, See **Gross vehicle weight fees**
- handicapped persons, 61-3-332, 61-3-446
- illumination, 61-9-204, 61-9-209
- implements of husbandry, exemption, 61-3-431
- irrigation district vehicles, 61-3-332
- junk vehicles, exemption, 61-3-301
- law enforcement officers, 44-4-201 — 44-4-206
- lettering on, 2-89-302, 61-3-332, 61-3-463, 61-4-223

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
License plates (Continued)

- limit when, 61-3-332, 61-3-453, 61-4-222
- lost, 61-3-332, 61-3-333
- manufacturer's, 61-4-221 — 61-4-223
- manufacturing, 2-89-303, 53-1-301, 61-3-463
- markings, 2-89-302, 61-3-332, 61-3-463, 61-4-223
- motion pictures, vehicles used for filming — exception, 61-3-301
- motor homes, 61-3-526
- mutilated, 61-3-332, 61-3-333
- national guard members, 61-3-332, 61-3-446
- new plates, 61-3-321, 61-3-332
- nontransferable when, 61-3-332, 61-3-452
- number required, 61-3-301, 61-3-331, 61-3-421
- numbers, assignation, 2-89-302, 61-3-332, 61-3-463, 61-4-223
- original Montana license plate, 61-3-412
- out-of-state, residents operating vehicle with, 61-3-302
- pearl harbor attack survivors, 61-3-332, 61-3-446
- period of issuance, 2-89-302, 61-3-332
- personalized, 61-3-401 — 61-3-406
  - centennial plates, 2-89-303
  - collegiate plates, 61-3-466
  - disabled veterans, 61-3-453
- pioneer-Montana, 61-3-333, 61-3-411, 61-3-412
- prisoners of war, former, 61-3-332, 61-3-446
- purchase in county other than residence unlawful, 61-3-301
- purchase stickers, 61-3-317, 61-3-342
- purple heart medal holders, 61-3-332, 61-3-446
- recycling, 61-3-336
- reflectorized background, 61-3-332, 61-3-463
- removal from vehicle when, 61-3-332, 61-3-334, 61-3-425
- repainting unlawful, 61-3-301
- replacement, 61-3-332, 61-3-333, 61-3-448
- reserve armed forces members, 61-3-332, 61-3-446
- retention, 61-3-446
- return to department, 61-3-201
- revocation, 61-4-223
- school district vehicles, 61-3-332
- size, 61-3-332
- special mobile equipment, 61-3-431 — 61-3-434, 61-10-124
- state-owned vehicles, 61-3-332
- stickers
  - centennial plates, 2-89-302
  - collegiate plates, county designation, 61-3-463
  - manufacturer's plates, county designation, 61-4-223
  - personalized plates, county designation, 61-3-403
  - registration numbers, 61-3-332
  - window, 61-3-317, 61-3-342
- stolen, 61-3-332, 61-3-333
- surrendered when, 61-3-201, 61-3-324, 61-3-332, 61-3-425, 61-6-302, 61-6-304
- tax-exempt vehicles, 61-3-332
- television commercials, vehicles used for filming — exception, 61-3-301
- transfer, 61-3-301, 61-3-332, 61-3-335, 61-3-406, 61-3-425, 61-3-446, 61-3-452
- transit, 61-4-301, 61-4-307, 61-4-308
- travel trailers, 61-3-526
- use unlawful when, 61-3-301, 61-4-223
- validation when, 61-3-412

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
License plates (Continued)
- veterans, 61-3-332, 61-3-446
- vintage-Montana, 61-3-411, 61-3-412
- violations generally, 61-3-301, 61-3-455
- window stickers, 61-3-317, 61-3-342

Liens, See **Security interests**
Lighting equipment, See **Lamps**
Livestock
- collision with, 60-7-203
- hazards caused by, 60-7-103
- vehicles hauling, 61-10-144, See **Gross vehicle weight fees**; See also **LIVESTOCK, Transporting and transporters**

Loads, See **Size, weight, and load**
Local authorities, 61-1-306, See also **Counties**
- accident reports required by, 61-7-116
- dealers, off-premises sales — restrictions, 61-4-102
- drivers' licenses required by, 7-21-4201, 61-5-102
- equipment regulations generally, additional, 61-9-103
- excess size and weight permits, issuance, 61-10-121, 61-10-122
- farm tractors or equipment, permits for operation on highway, 61-9-406
- funeral processions, 61-8-380
- minors, programs and facilities for — funding, 61-2-107
- motorcycle safety
  - promotion, 20-7-510
  - safety training fee, vehicles exempt when, 20-7-514
- off-highway vehicles, regulation precluded, 23-2-808
- parking regulations, 61-8-355
- powers, 7-14-4102, 7-14-4103, 7-14-4123, 7-21-4201, 7-21-4205, 53-24-106, 61-8-103, 61-8-401, 61-9-103, 61-12-101
- private parking services, impoundment of vehicles and citations, 61-12-102
- private roads or driveways, permission for construction when, 61-8-331
- radar, signs stating use, 61-8-704
- reckless driving ordinances, 61-8-301
- sidewalks, regulation upon, 7-14-4123
- speed
  - contests, 61-8-308
  - limits, alteration and authority, 7-14-2113, 7-14-4102, 7-14-4103, 61-8-306, 61-8-310, 61-8-313, 61-10-128
  - minimum, 61-8-311
- tax, local option, 61-3-537
- traffic-control devices
  - intersections, at, 61-8-333
  - placement on highways when, 61-8-203, 61-8-206
- traffic regulations generally, additional, 61-8-103
- weight limitations, imposition, 61-10-128
- "yield" intersections, designation, 61-8-342

Logging trucks, 61-9-414, 61-10-104, 61-10-124
Long-term care facilities, parking permits, 49-4-310
Lowboy trailers, 61-10-206
Mail
- delivery vehicles, lighting requirements, 61-9-229
- registration or reregistration, 61-3-525, 61-3-526, 61-3-535

Manufacturers, distributors, and importers, See also **Dealers and wholesalers**
- additional dealerships, 61-4-205, 61-4-206
- administrative action, 61-4-210
- administration of provisions, 61-4-203

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Manufacturers, distributors, and importers (Continued)

- appeals, 61-4-206
- auto auctions, fleet sales, 61-4-120
- cease and desist orders, 61-4-209
- civil penalty, 61-4-210
- coercion prohibited, 61-4-208
- dealerships, additional, 61-4-205, 61-4-206
- definitions, 61-1-316, 61-4-201, 61-4-309, 61-4-402
- delivery and preparation obligations, 61-4-204
- fees
  - license, 61-4-202
  - license plates, 61-4-221, 61-4-222
- financing sale of vehicles, 61-4-401 — 61-4-406
- franchises, 61-4-201
  - agreements, filing or revisions to, 61-4-204, 61-4-210
  - appointment, certificate — filing, 61-4-204
  - auto auctions, fleet sales, 61-4-120
  - cancellation or termination
    - ex parte applications for hearing continuance, 61-4-206
    - good cause, determination and proving, 61-4-134, 61-4-205 — 61-4-207
    - hearings, 61-4-134, 61-4-206
    - limitations, 61-4-205
    - notice requirements, 61-4-133, 61-4-205
    - objections, 61-4-206
  - change in ownership, effect, 61-4-205
  - coercion prohibited, 61-4-208
  - off-highway vehicle dealers, 23-2-818
  - succession to dealership ownership, 61-4-131 — 61-4-137
- hearings, 61-4-134, 61-4-203, 61-4-206
- injunction, 61-4-209
- license plates, manufacturer's, 61-4-221 — 61-4-223
- license requirements, 61-4-202, 61-4-205, 61-4-209, 61-4-223, 61-4-512
- new motor vehicle dealers, 61-4-201, 61-4-202, 61-4-204 — 61-4-206, 61-4-208 — 61-4-210
- off-highway vehicle dealers, franchise or sales agreements, 23-2-818
- product or warranty liability, 61-4-204
- rules, 61-4-203
- serial numbers on vehicles, restoration, 61-3-107
- single movement permits, 61-4-310, 61-4-311
- transit plates, 61-4-301, 61-4-307, 61-4-308
- transporters, driveaway or towaway, Title 61, chapter 4, part 3
- violations and penalties, 61-4-210, 61-4-223, 61-4-403, 61-4-405
- warranty, Title 61, chapter 4, part 5

Migratory agricultural workers, 61-3-502, 61-3-508
Military right-of-way, 10-1-602
Minors

- drivers' licenses
  - age requirements, 61-5-105
  - alcoholic beverages, alteration or unauthorized use to obtain, 61-5-206
  - applications, 61-5-108, 61-5-202
  - cancellation, 61-5-108, 61-5-109, 61-5-202
  - confiscation, 45-5-624
  - exemption when, 61-5-104
  - instruction or traffic education permits, 61-5-106, 61-5-108
  - liability of parent or responsible adult, 61-5-108, 61-5-109
  - provisional license, 61-5-111
  - restricted licenses, 61-5-105

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Minors (Continued)
- drivers' licenses (Continued)
  - revocation or suspension when, 61-5-206, 61-5-217, 61-8-723
  - unauthorized, driving prohibited, 61-5-304
- identification cards, alteration or unauthorized use to obtain alcoholic beverages, 61-5-206
- impoundment of vehicle, 61-8-723
- offenses, conviction — effect, 61-8-723
- safety restraint systems, 61-9-419 — 61-9-423

Mirrors, 61-9-404
Mobile homes, See **MOBILE HOMES, HOUSETRAILERS, AND TRAILER COURTS**
Mopeds, See **BICYCLES**, generally
Mortgages, See **Security interests**
Motion pictures, vehicles used for filming
- registration and license plates, exception, 61-3-301
- taxes, 15-6-215, 15-24-305, 61-3-507, 61-3-520

Motorbikes, See **Motor-driven cycles**
Motorcades, 61-8-329
Motor carriers, Title 69, chapter 12
Motor club service companies, Title 61, chapter 12, part 3
Motorcycles, 61-1-105, 61-1-106
- assessment, 61-3-503
- brakes, 61-9-304, 61-9-312
- child safety restraint systems, exception to provisions, 61-9-421
- dealers and wholesalers, See **Dealers and wholesalers**
- drivers' licenses, See **Drivers' licenses**, motorcycle endorsement
- headgear required when, 61-9-417, 61-9-518
- liability insurance requirement, exemption, 61-6-303
- license plates, 61-3-301, 61-3-332, See also **License plates**
- lighting requirements, 61-8-359, 61-9-203, 61-9-204, 61-9-206
- mail registration or reregistration, 61-3-535
- minors, headgear requirements, 61-9-417, 61-9-518
- noise suppression devices, 61-9-418, 61-9-518
- off-highway vehicles, 23-2-801, 23-2-802, 23-2-804, 23-2-807
- passengers, 61-8-359
- reflectors, 61-9-205
- registration fee, 20-7-504, 23-2-804, 23-2-807, 61-3-321, 61-3-535, See also **Registration**, generally
- riding on, 61-8-359
- safety training fee and exemption, 20-7-514
- seatbelts not required, 61-13-103
- sidecars, 61-9-304
- "sidesaddle" riding prohibited, 61-8-359
- taxes, See **Taxes**, generally
- unauthorized use, 45-6-308
- violations, 61-9-518
- weed control fee, 61-3-510

Motor-driven cycles, 61-1-106, See also **BICYCLES**, generally
- brakes, 61-9-304, 61-9-315
- controlled-access highways, use restrictions, 61-8-332
- dealers and wholesalers, See **Dealers and wholesalers**
- lighting requirements, 61-8-312, 61-9-203, 61-9-204, 61-9-206, 61-9-223
- reflectors, 61-9-205
- registration, See **Registration**, generally
- seatbelts not required, 61-13-103
- sidecars, 61-9-304
- speed limitations, 61-8-312
- weed control fee, 61-3-510

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Motor homes, 61-1-130, 61-1-132, 61-9-405
  fee in lieu of tax, 61-3-303, 61-3-509, 61-3-521, 61-3-522
    school district funding, consideration in computation, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146
  gross vehicle weight, weighing exception, 61-10-141
  license plates, 61-3-526, See also **License plates**
  registration, 61-3-303, 61-3-313, 61-3-526, 61-3-535, See **Registration**
  state parks recreational vehicle fee, 61-3-512
  tax exemption, 15-6-201
  warranty on new vehicles, Title 61, chapter 4, part 5
  window tinting or sunscreening restrictions and exceptions, 61-9-405, 61-9-428, 61-9-429
Motor pool, Helena-based, 2-17-411, See also **STATE GOVERNMENT**, **Motor vehicles**
Mountain highways, driving on, 61-8-361
Mounts, rules for, 61-9-504
Mud flaps, requirements, 61-9-407, 61-9-515
Mufflers, 61-9-403, 61-9-418
Multipurpose vehicles, 61-9-405
Multistate Highway Transportation Agreement, 61-10-1101
National Crime Information Center (**NCIC**), access to state automated stolen vehicle file, 61-3-106
National guard members, license plates, 61-3-332, 61-3-446
Negligent vehicular assault, 45-5-205, 61-5-205, 61-11-203
Nonresidents, 61-1-313
  agricultural workers, registration, 20-7-514, 61-3-502, 61-3-508
  blood, breath, or urine tests — refusal to submit to, 61-8-402
  compliance with Montana provisions, 25-3-601
  conviction in this state, record requirements, 61-11-102
  custom combiners, special permits and fees, 15-70-311, 15-70-312, 61-10-124, 61-10-130
  disabled, parking privileges, 49-4-302
  drivers' licenses
    commercial driver's license, 61-5-104, 61-5-210, 61-8-806
    driving record requested when, 61-5-107
    driving while license suspended or revoked in another state unlawful, 61-5-212
    exemption when, 61-5-104
    renting vehicles, 61-5-306
    revocation or suspension of privileges, 61-5-203, 61-5-204, 61-5-210
    temporary permits, 61-8-402
  financial responsibility
    nonpayment of judgment, report to — when, 61-6-121
    proof, filing — waiver of requirement when, 61-6-142
  fleet vehicles, See **Fleet vehicle registration**; **Foreign vehicle registration**
  gross vehicle weight fees, 61-10-211 — 61-10-214, See also **Gross vehicle weight fees**
  habitual traffic offenders, records certified to officials, 61-11-204
  highway use conditional, 25-3-601
  liability insurance requirements
    certificate of insurance, 61-6-134
    exemption when, 61-6-303
  liquefied petroleum gas powered vehicles, temporary trip permit, 15-71-102
  motorcycle safety training fee, exemption, 20-7-514
  operating privilege, 25-3-601, 61-6-102
    revocation or suspension, 61-6-122, 61-6-123, 61-6-125, 61-6-131, 61-6-141, 61-6-151, 61-7-103, 61-7-111
  registration, 15-24-301, 15-24-302
    exemption when, 61-3-502
    junk vehicle disposal fee, exemption when, 61-3-508

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Nonresidents (Continued)

- service of process on, See **CIVIL PROCEDURE, Service of process**
- special fuel users
  - courtesy vehicle permit, 15-70-302
  - custom combiners, 15-70-311, 15-70-312
  - temporary trip permit, 15-70-311 — 15-70-314, 61-12-206
- temporary employment in state, taxation, 15-24-301, 15-24-302
- vehicle operation, effect, 25-3-602

No-passing zones, 61-8-326
Obstructing or rendering traffic impassable, 27-30-101, 45-8-101, 45-8-111
Obstructions
- driver's view or driving mechanism, to, 61-8-360
- illegally stopped or unattended vehicles, removal, 61-8-705

Occupied structure, defined as, 45-2-101
Odometer mileage disclosure and record requirements, 61-3-201, 61-3-206, 61-3-607, 61-4-104, 61-4-120
Offenses, See **Convictions from violations; Violations**
Off-highway vehicles
- administration of provisions, 23-2-811, 23-2-812, 23-2-814, 23-2-818
- certificate of ownership, 23-2-801, 23-2-811 — 23-2-814, 23-2-817
- damage of areas by, repair — funding, 60-3-201
- dealers, 23-2-818
  - certificates of ownership, duties, 23-2-811, 23-2-812
  - demonstration vehicles, 23-2-812, 23-2-818
  - fee in lieu of tax, exception, 23-2-803
  - inventory, 23-2-803, 23-2-811
  - purchase stickers, 23-2-812
- decal, 23-2-804, 23-2-807, 23-2-809, 23-2-810, 23-2-812
- definitions, 23-2-801
- enforcement, 23-1-122, 23-2-804, 23-2-806, 23-2-807, 23-2-814, 87-1-503
- exemptions, 23-2-802
- facilities, funding, 60-3-201
- fee in lieu of tax, 23-2-803, 23-2-810
  - decal as proof of payment, 23-2-804, 23-2-807
  - registration fee, payment with, 23-2-817
  - school district funding, consideration in computation, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146, 23-2-803
- fees
  - certificate of ownership, 23-2-811 — 23-2-813
  - dealers, 23-2-818
  - decal, 23-2-804, 23-2-807, 23-2-809
  - nonresident temporary-use permit, 23-2-814
  - registration, 23-2-817, 23-2-818
- gasoline license tax, allocation and use, 60-3-201
- identification numbers, 23-2-811, 23-2-812, 23-2-814
- local government regulation precluded, 23-2-808
- mail renewal and recertification, 23-2-810
- manufacturers, distributors, and importers — franchise or sales agreements, 23-2-818
- nonresident temporary-use permit, 23-2-814
- operation without certificate of ownership or registration and decal allowed when, 23-2-812
- operator responsibilities, 23-2-822
- out-of-state vehicles, temporary use, 23-2-802
- penalty, 23-2-807
- public roads, crossing, 23-2-821
- registration, 23-2-804, 23-2-807, 23-2-812, 23-2-817, 23-2-818
  - county computer system, 61-3-345, 61-3-347

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Off-highway vehicles (Continued)
  registration (Continued)
    county motor vehicle computer fee, 61-3-511
    dealer certificate and fees, 23-2-818
    mail, by, 23-2-810
    out-of-state vehicles, 23-2-802
  safety education and funding, 23-2-807, 23-2-818, 23-2-823, 60-3-201
  security interest, 23-2-811, 23-2-812
  streams, ordinary high-water mark — operation below prohibited when, 61-8-371
  transfer of interest, 23-2-812, 23-2-817
On-scene command and control vehicles, 61-9-402, See also **Authorized emergency vehicles**
Oversize permits, See **Size, weight, and load**, excess size and weight permits
Overtaking and passing
  bicycles, 61-8-605
  driving on right side of road, exception, 61-8-321
  funeral processions, prohibited when, 61-8-383
  laned roadways, on, 61-8-328
  no-passing zones, 61-8-326
  on the left, 61-8-323, 61-8-325, 61-9-415
  on the right, permitted when, 61-8-324
  school buses, 61-8-301, 61-8-351
  shoulder of road, overtaken vehicle driving on, 61-8-311, 61-8-323
  slow-moving vehicles, 61-8-311, 61-9-415
  trucks and truck tractors, 61-8-329
  vehicles proceeding in opposite directions, 61-8-322
Owners, 61-1-310
  death, transfer of certificates, 61-3-201
  employee drivers, liability for, 61-6-201
  inspection of vehicle, compliance, 61-9-503
  registrant as prima facie owner, 61-3-105
Parked vehicle
  lamp requirements, 61-9-214
  starting, 61-8-335
  tow trucks, 61-9-416
Parking, 61-1-407, See also **PARKING**, generally
  additional regulations, 61-8-355
  angle, 61-8-355
  authorized emergency vehicles, 61-8-107
  bicycles, 61-8-354
  brakes, 61-9-303, See also **Brakes**
  capitol complex, citations for violations within, 2-17-113
  county roads, 7-14-2106
  disabled persons, permits and special spaces for, 49-4-301 — 49-4-307, 49-4-310, 61-3-332
  disabled vehicles, 61-8-353
  electronic funds transfer terminal placement, 32-6-102
  fire prevention and safety rules, 50-3-103
  highways, on, 61-8-353
  local ordinances, 61-8-355, 61-12-101
  long-term care facilities, permits, 49-4-310
  "notice of violation" cards, litter ordinances — exemptions, 7-5-2109, 7-5-4104
  outside business or residence districts, 61-8-353
  police vehicles, 61-8-107
  private parking services, impoundment of vehicles and citations, 61-12-102
  public property, prohibited on, 61-8-356, 61-8-719
  starting parked vehicle, 61-8-335
  unincorporated places, in, 7-14-2106

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Parking (Continued)

- university system regulations, See **UNIVERSITY SYSTEM, Motor vehicle regulations**
- violations, citations, 61-12-102

Passengers

- accidents, notice given by and reports, 61-7-110, 61-7-114
- buses, See **BUSES; SCHOOL TRANSPORTATION**
- children, safety restraint systems, See **Child safety restraint systems**
- driver's view, obstruction or interference, 61-8-360
- fenders, riding on prohibited, 61-8-366
- motorcycles, 61-1-105, 61-8-359, 61-9-417
- owner's liability for employee driver's negligence, 61-6-201
- quadricycles, 61-8-359, 61-9-417
- railroad crossings, vehicles carrying passengers to stop at, 61-8-349
- running boards, riding on prohibited, 61-8-366
- seatbelts, See **Seatbelts**
- "trailer" defined, 61-1-111
- vehicle doors, opening and closing, 61-8-368

Passing, See **Lamps; Overtaking and passing**
Peace officers, departmental, 61-12-201 — 61-12-204

- agricultural seeds, bills of lading requirements, 61-10-141, 80-5-202
- appointment, 44-1-1005, 61-10-141, 61-12-201
- arrests by, 44-1-1005, 61-10-141, 61-12-202, 61-12-203, 61-12-206, 61-12-208
- bail, fixing and accepting, 44-1-1005, 61-10-141, 61-12-208
- certification standards, 44-4-301
- cooperation with other agencies, 61-12-207
- fines and forfeitures collected by, disposition, 20-7-504
- inspection powers, 44-1-1005, 61-3-107, 61-3-202, 61-3-212, 61-10-141, 61-12-205
- justice, department of — civilian inspectors, 44-1-1005
- trees and boughs, coniferous — bill of sale or authorization exhibited on request by, 76-13-601

Pedestrian malls, traffic control, 7-14-4702
Pedestrians, See **PEDESTRIANS**
Penalties, See **Violations**
Physicians

- driver's ability to operate vehicle, report, 37-2-311, 37-2-312
- seatbelts, statement of occupant's inability to use, 61-13-103
- window tinting or sunscreening restrictions, waiver — affidavit, 61-9-428

Pilot cars required when, 61-10-123
Pole trailers, 61-1-114

- brakes, 61-9-301, 61-9-304 — 61-9-306, 61-9-309, 61-9-310
- chain or cable on towing unit, 61-9-208
- equipment provisions, applicability, 61-9-207
- fenders and flaps, requirements, 61-9-407
- gross vehicle weight fees, See **Gross vehicle weight fees**
- lighting equipment, 61-9-204, 61-9-208
- logs, hauling — length limitations, 61-10-104
- mud flaps, requirements, 61-9-407
- reflectors, 61-9-208, 61-9-210
- splash aprons, requirements, 61-9-407
- warning devices, display, 61-9-412

Police vehicles, See **POLICE, Police vehicles**
Power of attorney

- insurance carriers, 61-6-134
- statutory, authority, 72-31-233

Private parking services, impoundment of vehicles and citations, 61-12-102

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Private roads or driveways, 61-1-205
  bicycles, turning into, 61-8-605
  construction along highways, 60-5-111, 61-8-331
  entering highway from, 61-8-343
  fire hose, vehicle crossing, 61-8-364
  owners of property, rights, 61-8-109, 61-9-108
  stopping, standing, or parking prohibited when, 61-8-354
  turning into, 61-8-321, 61-8-336, 61-8-605
Propane powered, temporary trip permit for nonresidents, 15-71-102
Property
  owners' rights, 61-8-109, 61-9-108
  public, parking or leaving vehicles prohibited, 61-8-356, 61-8-719
  taxes, See **Taxes**
Public grounds, regulation upon, 7-14-4102
Public highways, See **HIGHWAYS**
Public officers and employees, responsibilities, 61-8-106, 61-9-106
Quadricycles, 61-1-133
  assessment, 61-3-503
  brakes, 61-9-304, 61-9-312
  child safety restraint systems, exception to provisions, 61-9-421
  dealers and wholesalers, See **Dealers and wholesalers**
  drivers' licenses, See **Drivers' licenses**, motorcycle endorsement
  headgear required when, 61-9-417
  liability insurance requirement, exemption, 61-6-303
  license plates, 61-3-301, 61-3-332, See also **License plates**
  lighting requirements, 61-8-359, 61-9-203, 61-9-204, 61-9-206
  mail registration or reregistration, 61-3-535
  noise suppression devices, 61-9-418
  off-highway vehicles, 23-2-801, 23-2-802, 23-2-804, 23-2-807
  passengers, 61-8-359
  reflectors, 61-9-205
  registration fee, 23-2-804, 23-2-807, 61-3-321, See **Registration**, generally
  riding on, 61-8-359
  "sidesaddle" riding prohibited, 61-8-359
  taxes, See **Taxes**, generally
  use unlawful when, 45-6-308
  weed control fee, 61-3-510
Railroad crossings, See **RAILROADS**, **Highway crossings; Signaling devices**
"Railroad" defined, 61-1-317, See **RAILROADS**
Railroad employees, driver's license exemption when, 61-5-104
"Railroad train" defined, 61-1-124, See **RAILROADS**
Rearview mirrors, 61-9-404
Reckless driving, 61-5-205, 61-5-206, 61-5-405, 61-8-301, 61-8-715, 61-11-203, See also **Careless driving**
Records and indexes, 61-3-101, 61-11-102
  accidents, 61-7-114, 61-7-116, 61-11-102
  assignments, 61-3-201, 61-4-104
  auto auctions, 61-4-120
  certification when, 61-11-102, 61-11-105, 61-11-204
  commercial vehicle operators, 61-8-802, 61-8-803, 61-8-805, 61-8-806, 61-8-811
  confidentiality, 61-7-114, 61-7-116, 61-8-714, 61-8-722, 61-11-105
  conservation speed limit violations, effect, 61-11-103
  convictions, of, 61-5-205, 61-5-212, 61-6-131, 61-6-142, 61-8-714, 61-8-722, 61-8-803, 61-8-806, 61-8-811, 61-11-101, 61-11-102, 61-11-204, 61-11-207

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Records and indexes (Continued)

- dealers and wholesalers, 23-2-812, 23-2-818, 61-3-101, 61-3-206, 61-4-101, 61-4-104, 61-4-106
- destruction when, 61-3-101, 61-3-103
- disclosure when, 61-3-101, 61-11-105
- drivers' license, 61-3-101, 61-5-107, 61-5-206, 61-5-306, 61-11-102
  - voter lists prepared from, 13-38-103
- driving record, 61-11-105
  - liability insurance, effect of adverse information in record, 33-18-210
- fleet vehicles, proportional registration, 61-3-728
- forfeiture of bail, 61-11-101
- graveyards and wrecking facilities, 61-12-402, 75-10-503, 75-10-512, 75-10-513
- identification numbers, 61-3-101, 61-3-107
- inspection, 61-3-101, 61-4-101, 61-5-306, 75-10-512
- insurance risk classifications based upon, 33-16-201
- mailing list provisions, 2-6-109
- minors, 41-5-602, 41-5-604
- nonresidents, 61-5-107, 61-11-102
- off-highway vehicles, 23-2-811, 23-2-812, 23-2-818
- prior convictions, confidentiality, 61-8-714
- registration, access to, 2-6-109
- seatbelt violations not recorded, 61-13-104
- security interest satisfactions or statements of release, retention, 61-3-103
- traffic safety program, purpose, 61-2-101
- warranty disputes, 61-4-526

Recreational use of streams
- landowner permission required when, 23-2-302
- ordinary high-water mark, operation below allowed when, 61-8-371

Recreational use on state lands, restrictions, 77-1-804

Recreational vehicles, 45-2-101, 61-1-129, 61-1-132
- auto auctions, 61-4-120
- bicycles, See **BICYCLES**
- boats, Title 23, chapter 2, part 5
- campers, See **Campers**
- campgrounds, See **CAMPING AND CAMPGROUNDS**
- construction standards, See **BUILDINGS AND BUILDING REGULATIONS, Factory-built buildings**
- dealers and wholesalers, See **Dealers and wholesalers**
- fenders, splash aprons, flaps — requirements, 61-9-407
- household appliances, warranty repair and maintenance, 61-4-204
- landowner permission required for use, when, 23-2-302
- motor homes, See **Motor homes**
- off-highway, Title 23, chapter 2, part 8
- overtime compensation exclusions for sales and service personnel, 39-3-406
- primitive park development, sanitary dumpsites prohibited, 23-1-117
- snowmobiles, Title 23, chapter 2, part 6
- state parks recreational vehicle fee, disposition and use, 61-3-512
- stream access law, landowner permission required when, 23-2-302
- timeshare sales, Title 37, chapter 53
- unauthorized use, 45-6-308
- warranty on new vehicles, Title 61, chapter 4, part 5

Recycling, See also **Graveyards and wrecking facilities**; **Junk vehicles**
- license plates, 61-3-336
- wrecked vehicles, 75-10-531, 75-10-532

Reflectors, See also **Warning devices**
- animal-drawn vehicles, 61-9-216, 61-9-513

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Reflectors (Continued)

- color, 61-8-607, 61-9-209
- emergency, 61-9-411, 61-9-412
- emergency reflective triangles, 61-9-411, 61-9-412
- equipment provisions, applicability, 61-9-207
- farm tractors and equipment, 61-9-215, 61-9-216, 61-9-513
- implements of husbandry, 61-9-215, 61-9-216, 61-9-513
- license plates, reflectorized background, 61-3-332, 61-3-463
- mounting, 61-9-205, 61-9-210
- new motor vehicles, 61-9-205
- pole trailers, 61-9-208
- road machinery, 61-9-216, 61-9-513
- taillamps, incorporated with, 61-9-210
- trailers or semitrailers, 61-9-208
- trucks, 61-9-208
- visibility distance, 61-9-205, 61-9-211
- warning, 61-9-416

Registration, 61-3-301, See also **License plates**; **Taxes**

- abandoned vehicles, 61-12-402
- affidavit requirement, 61-3-324
- agricultural workers, nonresident, 20-7-514, 61-3-502, 61-3-508
- applications, 61-3-303
  - certificate of ownership, See **Certificates of ownership**
  - collector's item vehicles, 61-3-411, 61-3-412
  - filing, 61-3-101, 61-3-303, 61-3-311, 61-3-503, 61-3-526
  - fleet registration, 61-3-324
  - forms, 23-2-817, 61-3-303, 61-3-305
  - off-highway vehicles, 23-2-812, 23-2-817
  - replacement of certificate of registration, for, 61-3-341
  - transfer of license plates, 61-3-335
  - transferred vehicles, for, 61-3-317
  - used motor vehicles, 61-4-111
- apportionable, See **Fleet vehicle registration**
- assessment, 61-3-503, 61-3-507
- attachment of vehicle, 61-3-103
- campers, 61-3-303
- cancellation when, 61-6-302
- certificates of origin, 61-3-502, 61-4-112
- certificates of ownership, See **Certificates of ownership**
- certificates of registration, See **Certificates of registration**
- collector's item vehicles, 61-3-411, 61-3-412
- computer system for, 61-3-345 — 61-3-347
- contracts, See **Security interests**
- county motor vehicle computer fee, 61-3-511
- dealers, See **Dealers and wholesalers**
- definitions, 61-1-508, 61-1-509, 61-3-313, 61-3-318, 61-3-321, 61-3-323
- disabled veterans, 61-3-332
- enforcement of provisions, 61-3-602
- exemptions, 61-3-301, 61-3-431, 61-3-432, 61-3-507, See also **Fleet vehicle registration**
- expiration, 61-3-311, 61-3-312, 61-3-334, 61-3-335, 61-3-526
- fees, 19-6-709, 23-2-804, 23-2-807, 23-2-817, 23-2-818, 61-3-303, 61-3-321, 61-3-325, 61-3-332, 61-3-341, 61-3-501
  - county motor vehicle computer fee, 61-3-511
- fleet registration, 61-3-323 — 61-3-325
- fleet vehicles, See **Fleet vehicle registration**
- foreign vehicles, 61-3-701 — 61-3-704, 61-3-707

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Registration (Continued)

- gross vehicle weight fees, 61-10-209, 61-10-222
- housetrailers, 61-3-321
- identification numbers, penalty for altering, 45-6-326, 61-3-604
- inspection, 61-12-205
- insurance company or adjuster, transfer of interest by, 61-3-205
- law enforcement officers, 44-4-201 — 44-4-206
- liens, See **Security interests**
- mail registration or reregistration, 61-3-525, 61-3-526, 61-3-535
- migratory agricultural workers, 61-3-502, 61-3-508
- motion pictures, vehicles used for filming — exception, 61-3-301
- motorcycles, 20-7-514, 23-2-804, 23-2-807, 61-3-321
- motor homes, 61-3-303, 61-3-313, 61-3-526
- multiple vehicles having common ownership, 61-3-315
- new registrations, 61-3-316, 61-3-317
- nonresident agricultural workers, 20-7-514, 61-3-502, 61-3-508
- notice for reregistration, 61-3-535
- off-highway vehicles, 23-2-804, 23-2-807, 23-2-812, 23-2-817, 23-2-818
- out-of-state vehicles, 61-3-201, See also **Fleet vehicle registration; Foreign vehicle registration**
- proportional, See **Fleet vehicle registration**
- purchase stickers, 23-2-812, 61-3-317, 61-3-342, 61-3-519
- quadricycles, 23-2-804, 23-2-807, 61-3-321
- receipt, See **Certificates of registration**
- reciprocal, See **Fleet vehicle registration; Foreign vehicle registration**
- records and indexes, See **Records and indexes**
- registrant as prima facie owner of vehicle, 61-3-105
- renewal, 23-2-818, 61-3-311, 61-3-312, 61-3-321, 61-3-325, 61-3-332, 61-3-411
- rental fleets, 61-3-313, 61-3-318
- revocation when, 61-9-315
- roadblocks to check, 46-5-502, 46-5-510
- sales tax on new vehicles, See **Taxes**, new vehicle sales tax
- salvage vehicles, temporary permit, 61-3-212
- security interests, See **Security interests**
- semitrailers, 61-3-321
- special mobile equipment, exemption, 61-3-431
- staggered registration
  - anniversary date, reregistration, 61-3-315
  - assessment of vehicle, 61-3-503, 61-3-507
  - fleet registration, 61-3-325
  - multiple vehicles, simultaneous, 61-3-315
  - new registrations under, 61-3-316
  - new vehicle sales tax, 61-3-502
  - periods of, 61-3-314, 61-3-501
  - vehicles subject to, 61-3-313, 61-3-325
- statements of origin, 61-3-502, 61-4-112
- state parks recreational vehicle fee, 61-3-512
- stolen vehicle file, state automated — checking prior to, 61-3-106
- surrendered when, 61-6-302, 61-3-324, 61-6-304
- suspension when, 33-23-211, 61-6-141
- television commercials, vehicles used for filming — exception, 61-3-301
- titles, See **Certificates of ownership**
- trailers, 61-3-321, See also **Trailers or semitrailers**
- transfer of interest, 23-2-812, 23-2-817, 61-3-201 — 61-3-203, 61-3-205
- transferred vehicles, 61-3-311, 61-3-317, 61-3-332, 61-3-334, 61-3-411, 61-3-526
- travel trailers, 61-3-303, 61-3-526, See **Trailers or semitrailers**

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Registration (Continued)

- used motor vehicles, 61-4-111
- veterans, disabled, 61-3-332
- weed control fee, 61-3-510
- window stickers, 61-3-317, 61-3-342, 61-3-707
- withheld when, 61-3-107

Rental businesses, 61-4-108
Rental fleets
- new vehicle sales tax, 61-3-502
- registration, 61-3-313, 61-3-318
- taxes, computation, 61-3-504

Renting to another person, 61-5-306
Repossession, 61-3-201, 61-4-108, 61-4-202
Residence district, 61-1-409
- alleys, driveways, or buildings — vehicles emerging from, 61-8-345
- turning movements and signals, 61-8-336

Right-of-way, 61-1-406
- abandoned vehicles upon, 61-12-401
- alley, driveway, or building — when emerging from, 61-8-345
- authorized emergency vehicles, on approach of, 61-8-346, 61-8-380, 61-9-402
- entering highway from private road, driveway, or public approach ramp, 61-8-343
- entering through highway or stop intersection, 61-8-341, 61-8-380, 61-8-383
- funeral processions, 61-8-380, 61-8-383
- intersections, 61-8-207, 61-8-339, 61-8-340, 61-8-341, 61-8-380, 61-8-383, 61-8-502
- loads in excess of maximum weight unloaded upon, care and removal, 61-10-141
- military, obstructing, 10-1-602
- pedestrians, See **PEDESTRIANS**, **Right-of-way**
- police vehicles, on approach of, 61-8-346
- traffic-control devices, unauthorized — removal, 61-8-706
- vehicles parked or left standing on, 61-8-356
- "yield" sign, vehicle approaching, 61-8-342

Roadblocks, 46-1-202, 46-5-502, 46-5-510
Road construction or maintenance machinery, See **Special mobile equipment**
Roads, See **COUNTY ROADS AND BRIDGES; HIGHWAYS**
Road tractors, See **Truck or road tractors**
Roller skaters, clinging to vehicles prohibited, 61-8-604
Rotary traffic islands, 61-8-327
Running boards, 61-8-366, 61-9-219
Safety
- belts, 61-9-419 — 61-9-423; Title 61, chapter 13, part 1
- commercial vehicle operators, conformance with federal regulations, 61-8-801 — 61-8-811
- driver rehabilitation and improvement, through, 61-2-103, 61-2-301, 61-2-302, 61-11-101
- equipment
  - rules governing, 61-9-504, 61-10-102
  - safety compact, Title 61, chapter 2, part 2
  - width limits, exclusion from, 61-10-102
- glazing materials, 61-9-408
- motorcycle safety training, 20-7-501 — 20-7-504, 20-7-510 — 20-7-514
- off-highway vehicles, 23-2-807, 23-2-818
- restraints for children, 61-9-419 — 61-9-423
- special vehicle combinations, 61-10-129
- standards and inspections, 44-1-1005, 61-10-141
- traffic safety program, See **Traffic safety program**
- window tinting or sunscreening restrictions, waiver, 61-9-428
- zone, See **PEDESTRIANS**, **Safety zone**

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Sales
- auto auctions, 61-4-120
- "broker" defined, 61-1-318
- collector's item vehicles, 61-3-411
- custom combiners' units, identifying devices and fees nontransferable, 61-10-130
- dealers and wholesalers, See **Dealers and wholesalers**
- financing, See **Manufacturers, distributors, and importers**; See also **CREDIT TRANSACTIONS, Retail installment sales**
- odometer mileage disclosure and record requirements, 61-3-201, 61-3-206, 61-3-607
- overtime compensation exclusions for sales personnel, 39-3-406
- salvage vehicles, 61-3-211
- security interest, See **Security interests**
- tax on new car, See **Taxes**, new vehicle sales tax
- warranty, Title 61, chapter 4, part 5

Salvage vehicles, 61-3-202, 61-3-210 — 61-3-212
- farming or ranching operations, 75-10-505

Salvage yards, See **Graveyards and wrecking facilities**

Schools
- buses, See **SCHOOL TRANSPORTATION, Buses**
- driver education course, See **SCHOOLS, Traffic education**
- motorcycle safety training, 20-7-501 — 20-7-504, 20-7-510 — 20-7-514
- safety patrols, 61-8-502
- school district vehicles, license plates, 61-3-332
- speed limit near, alteration — authority, 61-8-310

Search and rescue personnel, private vehicles — use of red lamps, 61-9-227

Seatbelts
- child safety restraint systems, effect, 61-9-420, 61-13-103
- citation of Montana seatbelt use act, 61-13-101
- definitions, 61-13-102
- education program, 61-13-105
- evidence of compliance or noncompliance, admissibility, 61-13-106
- new vehicles, requirements, 61-9-409, 61-9-410, 61-9-516
- specifications, 61-9-410
- use required and exceptions, 61-13-103
- violations and penalty, 61-9-516, 61-13-103, 61-13-104

Security interests, See also **SECURED TRANSACTIONS**, generally
- abandoned vehicles, procedures, 61-12-402, 61-12-403
- applicability of laws, 30-9-203
- assignment, 23-2-811, 61-3-201, 61-3-202, 61-3-603
- attachment, 23-2-811
- "broker" defined, 61-1-318
- certificate of ownership, 23-2-811, 61-3-208
- child support, for, 40-5-248
- constructive notice, 61-3-103
- dealers, See **Manufacturers, distributors, and importers**, financing sale of vehicles
- filing, 30-9-302, 61-3-103
- financial responsibility bonds as lien when, 61-6-137
- forfeiture of vehicle, effect, 61-8-421, 61-8-714, 61-8-722
- indemnification when, 61-3-208
- insurance
  - company or adjuster, release secured by, 61-3-205, 61-3-211
  - fraud, 61-3-106
  - policy, copy to mortgagor or pledgor, 33-15-412
- new motor vehicles, 61-4-112
- notice of lien, 23-2-811, 61-3-103

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Security interests (Continued)

- off-highway vehicles, 23-2-811, 23-2-812
- "owner" defined, 61-1-310
- perfection, 23-2-811, 61-3-103, 61-3-201
- records, 61-3-101
- registration applications, contents, 23-2-812, 61-3-303
- salvage vehicles, 61-3-211
- taxes and fees as lien, 61-3-503
- theft of vehicle, 61-3-106
- transfer of interest, 23-2-812, 61-3-201, 61-3-208
- used motor vehicles, 61-4-111
- warranty, nonconformity to — refund to consumer and lienholder when, 61-4-503

Seizure of vehicle when, 61-3-202, 61-8-714, 61-8-722
Self-insurance, 61-6-132, 61-6-143, 61-6-302, 61-6-304
Semitrailers, See **Trailers or semitrailers**
Shooting from or across highway, 61-8-369, 87-1-102, 87-2-803, 87-3-101
Shoulder of road, driving on, See **HIGHWAYS, Shoulders**
Sidewalks, See **PEDESTRIANS; STREETS AND ALLEYS**
Signals, See also **Traffic-control devices**

- bicycle operators, 61-8-336, 61-8-338
- hand and arm, 61-8-336 — 61-8-338
- lights, See **Lamps**, signal
- mechanical, 61-8-337
- turning, 61-8-336, 61-8-382

Signs, See **Traffic-control devices**
Sirens, 61-9-401, 61-9-402
Size, weight, and load, See also **Gross vehicle weight fees**

- agricultural seeds, perishable — vehicles carrying, 61-10-128
- axles, 61-1-128
  - brake requirements, specific vehicles, 61-9-304, 61-9-310 — 61-9-312
  - cranes, 61-10-124
  - distance between, measuring, 61-10-106
  - loads, permissible, 61-10-105, 61-10-124, 61-10-130
    - exceeding when, 61-10-125, 61-10-144, 61-10-233
    - reduction when, 61-10-108
  - logging vehicles, 61-10-124
  - maximum gross weight permit, 61-10-107, 61-10-109, 61-10-110
  - railroad crossings, moving heavy equipment at, 61-8-350
  - retractable, failure to use, 61-10-145
  - stinger-steered automobile or boat transporter, 61-10-104
- blanket permits, 61-10-123. 61-10-124, 61-10-143, 61-10-146
- cranes, 61-10-124
- custom combiners' units, 61-10-124, 61-10-130
- dolly or converter gear, 61-1-113, 61-10-104
- enforcement of provisions, 61-10-141
- excessive loads, removal, 61-10-141
- excess permitted when, 61-10-109, 61-10-110, 61-10-144
- excess size and weight permits, 61-10-121, 61-10-122, 61-10-141, 61-10-144
  - confiscation, 61-10-143, 61-10-146
  - cranes, 61-10-124
  - display, 61-10-142
  - fees, 61-10-124 — 61-10-126
  - governmental entities, to, 61-10-127
  - haystack movers, 61-10-123
  - highway routing specified, 61-10-104, 61-10-107, 61-10-124, 61-10-128
  - implements of husbandry dealers, for, 61-10-121, 61-10-122, 61-10-124

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Size, weight, and load (Continued)
  excess size and weight permits (Continued)
    inspection, 61-10-142
    interstate agreements, 61-10-113
    limitations on operation of vehicle, 61-10-124
    livestock, vehicles transporting, 61-10-124
    rules, 61-10-129
    single trip permits, 61-10-124, 61-10-125, 61-10-144
    term or blanket permit, 61-10-123, 61-10-124, 61-10-143, 61-10-146
    violations, 61-10-146
  federal laws, effect, 61-10-110
  fees, 61-10-107, 61-10-124 — 61-10-126, 61-10-144
  fines, 61-10-130, 61-10-144 — 61-10-148
  five percent allowance, 61-10-144
  flag persons, See **Flag persons or vehicles**
  gross weight, maximum, 61-10-105
    five percent allowance, 61-10-144
    perishable seed potatoes, vehicles carrying, 61-10-128
    permit, 61-10-107, 61-10-109, 61-10-110, 61-10-143, 61-10-145
    seven percent allowance, 61-10-144
    violations, 61-10-144 — 61-10-146
  hay grinders or vehicles hauling hay, 61-10-102, 61-10-123
  height, 61-10-103
  highway routing specified, 61-10-107, 61-10-124, 61-10-128, 61-10-130
  jurisdiction of justices' court, 3-10-303
  length, 61-10-104, 61-10-124
  limitations on operation of vehicle, 61-10-124, 61-10-130
  livestock, vehicles transporting, 61-10-144
  motor carriers, 61-10-141, 69-12-408
  multistate highway transportation agreement, 61-10-1101
  perishable seed potatoes, vehicles carrying, 61-10-128
  rocky mountain double, 61-10-104, 61-10-124
  rulemaking authority, 61-10-129, 61-10-130, 61-10-155
  scales for weighing, 61-10-141, 61-10-144
  secured load requirement and exceptions, 61-8-370
  seven percent allowance, 61-10-144
  single trip permits, 61-10-124, 61-10-125, 61-10-130, 61-10-144
  special vehicle combinations, 61-10-124, 61-10-129, 61-10-146
  speed limitations imposed when, 61-8-312, 61-10-128, 61-10-130, 61-10-147
  standards, 61-10-101
  stinger-steered automobile or boat transporters, 61-10-104
  term permits, 61-10-123 — 61-10-125, 61-10-143, 61-10-146
  tolerance, 61-10-130, 61-10-144
  truck tractor-semitrailer combinations, 61-10-104
  truck tractor-semitrailer-semitrailer combinations, 61-10-104
  truck tractor-semitrailer-trailer combinations, 61-10-104
  truck tractor-semitrailer-trailer-trailer combinations, 61-10-124, 61-10-129, 61-10-146
  truck-trailer-trailer combinations, 61-10-124, 61-10-129, 61-10-146
  violations, 61-10-144 — 61-10-147, 61-12-206
  weighing vehicles, 61-10-141
  weight limitations and prohibitions, 61-10-128, 61-10-130, 61-10-147
  width, 61-10-102, 61-10-124
Sledders, clinging to vehicles prohibited, 61-8-604
Slow-moving vehicles, 49-4-311, 61-8-311, 61-8-321, 61-8-328, 61-9-415, 61-9-513
Smog control, See **AIR QUALITY**, generally
Snowmobiles, operation in traffic, See **SNOWMOBILES**, **Roads and streets, operation on**

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

Snow-removal equipment, 61-9-226, 61-9-228
Solid waste, transportation — secured load requirement, 61-8-370
Spark arresters required when, 76-13-125
Special fuels use, Title 15, chapter 70, part 3, See **TAXATION, GASOLINE AND VEHICLE FUELS**
Special mobile equipment, 61-1-104, See also **SALES**, **Farm implements dealership agreements**
    brake requirements, exceptions, 61-9-302, 61-9-304
    cranes, excess weight permit, 61-10-124
    dealers, See **Dealers and wholesalers**
    identification plates, 61-3-431 — 61-3-434, 61-10-124
    liability insurance, exemption, 61-6-303
    registration exemption, 61-3-431
    road machinery
        equipment provisions, applicability, 61-9-109
        lamps, 61-9-216, 61-9-513
        slow-moving vehicle provisions, 61-9-415, 61-9-513
    seatbelts not required, 61-13-103
    special fuel user's temporary trip permit, issuance by scale house personnel, 15-70-311
    taxation, assessment, 15-8-201
Special service roads, 61-8-110 — 61-8-112
Speed
    basic rule, 61-8-303 — 61-8-305
    contests, 61-8-308, 61-8-717, 61-11-203
    conviction points, 61-11-203
    custom combiners, limitations when, 61-10-130
    drag racing, 61-8-308, 61-8-717, 61-11-203
    haystack movers, 61-10-123
    limit
        alteration, 61-8-303, 61-8-305, 61-8-309, 61-8-310, 61-10-128, 61-12-101
        authorized emergency vehicles, 61-8-107
        conservation speed limit, 61-8-304, 61-8-305, 61-8-718, 61-11-103
        disabled vehicles, warning signs, 61-9-416
        existing statutes, 61-8-307
        funeral processions, 61-8-382
        local authority, 7-14-2113, 7-14-4102, 7-14-4103, 61-8-306, 61-8-310, 61-8-313, 61-10-128
        lower, 61-8-306
        minimum set when, 61-8-311
        nighttime, 61-8-303, 61-8-309, 61-8-310, 61-8-312
        police vehicles, 61-8-107
        signs stating, 61-8-704, 61-10-128
    limitations, special, 61-8-312, 61-8-313, 61-10-128, 61-10-130, 61-10-147
    motor-driven cycles, limitations, 61-8-312
    parks, public — in, 61-12-101
    radar as measurement, 61-8-702 — 61-8-704
    restrictions, 61-8-303, 61-8-305, 61-10-128
    slow-moving vehicles, 61-8-311, 61-9-415
    towing units for housetrailers, limitations, 61-8-312
    trucks, limitations, 61-8-312, 61-10-130
    truck tractor-semitrailer-trailer-trailer combinations, limitations, 61-8-312
    truck tractors, limitations, 61-8-312
    truck-trailer-trailer combinations, limitations, 61-8-312
    zones, special, 61-8-309
Splash aprons, requirements, 61-9-407, 61-9-515

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)

State lands, recreational use restrictions, 77-1-804
Statements of origin, 61-3-502, 61-4-112
State-owned, See **STATE GOVERNMENT, Motor vehicles**
State parks recreational vehicle fee, 61-3-512
Stinger-steered automobile or boat transporters, 61-10-104
Stolen vehicles
  salvage vehicles, 61-3-202, 61-3-212
  state automated file, 61-3-106
Stop, investigative — when, 46-5-401, See also **SEARCH AND SEIZURE**
Stop signs, 61-8-344
  intersections, vehicles entering, 61-8-341
  railroad grade crossings, 61-8-348
  stopping, standing, or parking prohibited when, 61-8-354
  vehicles must stop at and exceptions, 61-8-107, 61-8-344, 61-8-380, 61-8-383
Stop, stopping, or standing, 61-1-407
  alley, driveway, or building — before emerging from, 61-8-345
  authorized emergency vehicles, 61-8-107
    approach of, operation of vehicle on, 61-8-346, 61-9-402
  brakes, See **Brakes**
  disabled vehicles, 61-8-353
  funeral processions, 61-8-380, 61-8-383
  highways, on, 61-8-353
  illegally stopped vehicles, removal, 61-8-705
  lamp requirements, 61-9-214
  local regulations, 61-12-101
  outside business or residence districts, 61-8-353
  police vehicles, 61-8-107
    approach of, operation of vehicle on, 61-8-346, 61-9-402
  prohibited when, 61-8-354, 61-8-355
  railroad grade crossings, 61-8-349, 61-8-350
  school buses, upon meeting or overtaking, 61-8-301, 61-8-351
  signal for, 61-8-336 — 61-8-338
  starting parked vehicle, 61-8-335
  tow trucks, 61-9-416
  trains, on approach of, 61-8-347
Stream access law, landowner permission required when, 23-2-302
Streams, ordinary high-water mark — operation below prohibited when, 61-8-371
Streets, See **STREETS AND ALLEYS**
Taxes, 15-70-201, 15-70-301, 61-1-102
  abatement when, 61-3-501
  assessment, 15-8-111, 15-8-201, 15-8-202, 15-24-305, 61-3-303, 61-3-503, 61-3-507, 61-3-520
  average trade-in or wholesale value, 15-1-101, 61-3-503
  buses, 15-6-138
  classification, 15-6-138
  computation, 61-3-504
  counties, local option tax, 61-3-509, 61-3-537, 61-3-701
  depreciation percentages, 61-3-503
  diesel engines, assessment, 61-3-503
  disposition, 15-24-105, 15-71-104, 23-2-803, 61-3-325, 61-3-502, 61-3-509, 61-3-537
  exemptions, 15-6-201, 15-6-215, 61-3-332, 61-3-502, 61-3-507, 85-7-2011
  fees in lieu of
    campers, 61-3-303, 61-3-509, 61-3-519, 61-3-521, 61-3-523
    motor homes, 61-3-303, 61-3-509, 61-3-521, 61-3-522
    off-highway vehicles, 23-2-803, 23-2-804, 23-2-807, 23-2-817

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Taxes (Continued)
  fees in lieu of (Continued)
    travel trailers, 61-3-303, 61-3-509, 61-3-521, 61-3-523
  filing date, 61-3-501
  fleet registration, 61-3-325
  fleets, international fuel tax agreement, 15-70-104, 15-70-121, 15-70-122, 15-70-302
  fleets, property tax, 15-24-101 — 15-24-105, See also **Fleet vehicle registration**
  foreign vehicles, 15-24-301, 15-24-302, 61-3-302, 61-3-701
  fuel taxes, Title 15, chapter 70
  irrigation district vehicles, exemption, 85-7-2011
  junk vehicle disposal fee, 61-3-508, 75-10-533
  lien, as, 61-3-503
  liquefied petroleum gas
    alternative fuel conversion, income tax credits, 15-30-164, 15-31-137
    license tax on vehicles propelled by, 15-71-101 — 15-71-105, 15-71-110, 15-71-111, 61-12-206
  local option, 61-3-509, 61-3-537, 61-3-701
  market value, 15-8-111, 15-8-202, 61-3-503
  migratory property, taxed as, 15-24-301, 15-24-302
  minimum value, 61-3-503
  motion pictures, vehicles used for filming, 15-6-215, 15-24-305, 61-3-507, 61-3-520
  new vehicle sales tax, 15-16-202, 61-3-303, 61-3-501, 61-3-502, 61-3-506, 61-3-605, 61-12-206
  nonresidents, temporary employment in state, 15-24-301, 15-24-302, 61-3-701
  payment, 15-16-202, 61-3-201, 61-3-303, 61-3-317, 61-3-325, 61-3-506, 61-3-701
  propane powered vehicles
    alternative fuel conversion, income tax credits, 15-30-164, 15-31-137
    license tax on, 15-71-101 — 15-71-105, 15-71-110, 15-71-111, 61-12-206
  prorated when, 61-3-501, 61-3-520
  rate of tax, 15-6-138, 61-3-504
  registration, payment required prior to, 15-16-202, 61-3-303
  rental fleets, 61-3-502, 61-3-504
  retail value, 61-3-503
  rulemaking authority, 61-3-506
  school district funding, consideration in computation, 15-24-102, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146
  special mobile equipment, 15-8-201, 61-3-431
  statutes providing for, effective date, 1-2-201
  taxable value, 61-3-503
  television commercials, vehicles used for filming, 15-6-215, 15-24-305, 61-3-507, 61-3-520
  trailers, See **TAXATION, PROPERTY, Recreational vehicles**
  trailers and semitrailers — classification, exemption, and rate of tax, 15-6-138, 15-6-201
  transferred vehicles, 61-3-317
  trucks and truck tractors, 15-24-2501
  trucks — classification, market value, and rate of tax, 15-6-138, 15-8-111
  truck toppers and canopies — classification, exemption, and rate of tax, 15-6-138, 15-6-201
  valuation, 61-3-503
Television commercials, vehicles used for filming
  registration and license plates, exception, 61-3-301
  taxes, 15-6-215, 15-24-305, 61-3-507, 61-3-520
Theft, 61-3-106
Theft alarm signal devices, 61-9-401
Tires
  chains, 61-9-406, 61-9-520
  load limit per inch of tire width, 61-10-105, 61-10-107, 61-10-144
  metal tire, 61-1-127, 61-9-406
  pneumatic tire, 61-1-125, 61-3-321, 61-9-406

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Tires (Continued)

- protuberances, restrictions, 61-9-406
- recycled materials, from — purchase, 75-10-806
- restrictions, 61-9-406, 61-9-519
- snow tires, 61-9-406, 61-9-519, 61-9-520
- solid tire, 61-1-126, 61-8-313, 61-9-406
- traction devices, 61-9-406, 61-9-519, 61-9-520

Towaway transporters, Title 61, chapter 4, part 3
Tow bars, rules for, 61-9-504
Tow cars, authorized, See **Authorized emergency vehicles**
Towed vehicles, exceptions to brake requirements, 61-9-304
Towing companies, Title 61, chapter 12, part 3
Towing units

- brakes, 61-9-304 — 61-9-306, 61-9-308, 61-9-311
- chain or cable required, 61-9-208, 61-9-504
- following other vehicles, 61-8-329
- length, 61-10-104, See also **Size, weight, and load**
- speed limitations, 61-8-312

Tow trucks, 61-9-416, 61-9-517

- "emergency service vehicles" defined, 61-1-120
- motor carrier laws, exemption from, 69-12-102

Track-type vehicles, 61-9-406
Traffic, 61-1-401

- codes — city, town, or county, 7-5-108
- county roads, limitation or prohibition when, 7-14-2127
- education, See **SCHOOLS, Traffic education**
- islands, 61-8-327
- pedestrian malls, control, 7-14-4702

Traffic-control devices, 61-1-402, 61-1-403, See also **Signals**

- advertising upon, prohibited, 61-8-210
- approach of — stopping, standing, or parking prohibited when, 61-8-354
- bicycle operators, compliance, 61-8-333
- caution signs, portable, 61-8-210
- crossings, to mark, 61-8-101, 61-9-101
- damage, restoration, 61-9-101
- flag persons or vehicles, See **Flag persons or vehicles**
- flashing signals, 61-8-209
- funeral processions, 61-8-201, 61-8-380, 61-8-383
- green light or "go", 61-8-207
- highways, placement on, 60-2-204, 60-2-216, 61-8-203
- injury or removal, 61-8-204, 61-8-205, 61-8-713
- institutional manufacture of signs, 53-1-301
- intersections
  - at, 60-2-216, 61-8-207, 61-8-333
  - at place other than, 61-8-207
  - bicycle turn procedures, 61-8-333, 61-8-336, 61-8-338, 61-8-605
- local authorities, placement by, 61-8-203, 61-8-206, 61-8-333, 61-12-101
- motorist information signs, restrictions, 60-5-513, 60-5-521
- no-passing zones, 61-8-326
- obedience to and exceptions, 61-8-201, 61-8-344, 61-8-349, 61-8-354, 61-8-380, 61-8-383
- one-way roadways, 61-8-327
- pedestrians subject to, See **PEDESTRIANS**
- radar, signs stating use of, 61-8-704
- railroad grade crossing signal, nonapplicability to — when, 61-8-349
- red light or "stop", 61-8-207, 61-8-209
- red with green arrow, 61-8-207

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Traffic-control devices (Continued)

- signal legend, 61-8-207
- slow-moving vehicles, 61-8-328
- speed limits, 61-8-310, 61-10-128
- speed zones, 61-8-309
- traction equipment requirements, signs, 61-9-406
- turnouts, 61-8-311
- unauthorized, 61-8-210, 61-8-706, 61-8-712
- underground communication lines, Title 69, chapter 4, part 3
- uniform system, manual for, 60-5-513, 60-5-514, 61-8-202
- "walk", "wait", or "don't walk", 61-8-208
- weight limitations, designating, 61-10-128
- yellow light or "caution", 61-8-207, 61-8-209, 61-8-210

Traffic regulations generally, 61-8-101 — 61-8-103
- application of laws, 46-5-502, 46-5-510, 61-8-101
- bicycles, applicability, 61-8-602, 61-8-609
- definitions, 61-8-110, 61-8-303, 61-8-311; Title 61, chapter 1, part 4
- electronic funds transfer terminal placement, 32-6-102
- enforcement, 7-32-201, 61-8-111, 61-8-112
- funeral processions, 61-8-201, 61-8-382
- law enforcement officers, duties, 7-32-201
- nonresidents, applicability of laws, 25-3-601
- obedience to, 61-8-104, 61-8-105, 61-8-347, 61-9-104, See also **Traffic-control devices**
- parking regulations subject to, 7-14-4622
- pedestrians, subject to, 61-8-501, See **PEDESTRIANS**
- public officers and employees, responsibilities, 61-8-106
- roadblocks, 46-1-202, 46-5-502, 46-5-510
- uniformity, 61-8-102, 61-8-103

Traffic safety program, 2-15-2007, 61-2-101 — 61-2-105; Const., VIII, 6
- 55 alive mature driving program, 33-16-203, 33-16-221 — 33-16-225
- seatbelt use, education program for, 61-13-105

Trailers or semitrailers, 61-1-102, 61-1-111, 61-1-112
- affidavit required when, 61-3-107
- bicycle trailers or semitrailers, 61-8-604
- brakes, See **Brakes**
- chain or cable on towing units, 61-9-208
- custom combiners, 61-10-124, 61-10-130
- dealers and wholesalers, See **Dealers and wholesalers**
- "dolly or converter gear" defined, 61-1-113
- equipment provisions, applicability, 61-9-207
- fenders and flaps, requirements, 61-9-407, 61-9-515
- gross vehicle weight fees, 61-10-203, 61-10-206, 61-10-211 — 61-10-213, See also **Gross vehicle weight fees**
- hitches, rules for, 61-9-504
- identification numbers, 61-3-101, 61-3-107
- length, 61-10-104, See also **Size, weight, and load**
- license plates, 61-3-301, 61-3-332, See also **License plates**
- lighting equipment, 61-9-204, 61-9-208
- lowboy trailers, 61-10-206
- manufacturers, See **Manufacturers, distributors, and importers**
- mud flaps, requirements, 61-9-407, 61-9-515
- new vehicle sales tax, exemption, 61-3-502
- overtime compensation exclusions for sales and service personnel, 39-3-406
- pole trailers, See **Pole trailers**
- records and indexes, 61-3-101
- reflectors, 61-9-208

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Trailers or semitrailers (Continued)

- registration fees, 61-3-321, See also **Registration**
- size, weight, and load, See **Size, weight, and load**
- splash aprons, requirements, 61-9-407, 61-9-515
- taxes, See **Taxes**
- tire equipment, 61-9-406
- tow bars, rules for, 61-9-504
- travel trailers, 61-1-131, 61-1-132
  - fees in lieu of taxes, 61-3-303, 61-3-509, 61-3-521, 61-3-523
    - school district funding, consideration in computation, 20-9-141, 20-9-331, 20-9-333, 20-9-360, 20-9-501, 20-10-144, 20-10-146
  - registration, 61-3-303, 61-3-526, 61-3-535
  - state parks recreational vehicle fee, 61-3-512
  - tax exemption, 15-6-201
- warning devices displayed when, 61-9-412

Transient retail merchants, premises for, See **TRANSIENT RETAIL MERCHANTS**, generally

Transporters, driveaway or towaway
- brake requirements, 61-9-304
- fees, 61-4-301 — 61-4-306, 61-4-310, 61-4-311
- one-trip fee, 61-4-302, 61-4-303
- permits, 61-4-301, 61-4-308, 61-4-310
- single movement permits, 61-4-309 — 61-4-311
- transit plates, 61-4-301, 61-4-307, 61-4-308
- violations, arrests for, 61-12-206

Transporters, stinger-steered automobile or boat, 61-10-104

Trapping licenses, licensing and titling as residence requirement, 87-2-102

Travel trailers, See **Trailers or semitrailers**

Trespass, criminal, 45-2-101, 45-6-201, 45-6-202
- damage to vehicle, See **Salvage vehicles**

Truck or road tractors
- brakes, 61-9-304, 61-9-306, 61-9-310, 61-9-311
- definitions, 61-1-108, 61-1-110
- equipment provisions, applicability, 61-9-207
- fenders and flaps, requirements, 61-9-407, 61-9-515
- following other vehicles, 61-8-329
- gross vehicle weight fees, 61-10-201, 61-10-203, 61-10-211 — 61-10-213, See also **Gross vehicle weight fees**
- lighting equipment, 61-9-208
- mud flaps, requirements, 61-9-407, 61-9-515
- safety glazing materials, 61-9-408
- speed limitations, 61-8-312
- splash aprons, requirements, 61-9-407, 61-9-515
- truck tractor-semitrailer-trailer-trailer combinations, speed limitations, 61-8-312
- warning devices, See **Warning devices**
- windshields and windows, 61-9-408

Trucks, 61-1-107, See also **Salvage vehicles**; **Taxes**; **MOTOR CARRIERS**, generally
- agricultural commodity dealers, 80-4-601, 80-4-602, 80-4-605
- brakes
  - breakaway of towed vehicle, 61-9-306
  - exceptions, 61-9-304
  - reservoir capacity, 61-9-310
  - warning devices, 61-9-311
- carnivals, 61-10-211
- custom combiners, 61-10-124, 61-10-130
- equipment provisions, applicability, 61-9-207

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Trucks (Continued)

- fenders and flaps, requirements, 61-9-407, 61-9-515
- flares, See **Warning devices**
- following other vehicles, 61-8-329
- grain trucks, 80-4-722
- gross vehicle weight fees, 61-10-201, 61-10-203, 61-10-206, 61-10-211 — 61-10-213, See also **Gross vehicle weight fees**
- length, 61-10-104, See also **Size, weight, and load**
- license plates, 61-3-332, See also **License plates**
- lighting equipment, 61-9-208
- logging, 61-9-414, 61-10-124
- mud flaps, requirements, 61-9-407, 61-9-515
- operation prohibited when, 61-10-128
- reflectors, 61-9-208
- safety glazing material, 61-9-408
- speed limitations, 61-8-312
- splash aprons, requirements, 61-9-407, 61-9-515
- taxes, See **Taxes**
- tow trucks, 61-1-120, 61-9-416, 61-9-517
- truck-trailer-trailer combinations, speed limitations, 61-8-312
- warning devices, See **Warning devices**
- weigh stations, 61-10-141
- weight limitations, imposition when, 61-10-128, 61-10-147, See also **Size, weight, and load**
- windshields and windows, 61-9-408

Turning
- authorized emergency vehicles, 61-8-107
- bicycles, procedures, 61-8-333, 61-8-336, 61-8-338, 61-8-605
- curve or crest of grade, prohibited, 61-8-334
- funeral processions, 61-8-380
- intersections, at, 61-8-333, 61-12-101
- left turns, 61-8-207, 61-8-321, 61-8-324, 61-8-328, 61-8-331, 61-8-333, 61-8-336, 61-8-338, 61-8-340, 61-9-226
- movements, 61-8-336
- police vehicles, 61-8-107
- right turns, 61-8-207, 61-8-333, 61-8-336, 61-8-338, 61-8-502, 61-9-226
- signals required, 61-8-336 — 61-8-338, 61-9-218
- u-turns, 61-8-331

Turnouts, 61-8-311
Unattended vehicles, 61-8-357, 61-8-705
Uninsured motorist coverage, 33-23-201, 33-23-203, See also **Liability insurance**
University system regulations, See **UNIVERSITY SYSTEM, Motor vehicle regulations**
Unsafe condition, vehicles in, 61-9-109, 61-9-501
Urban district, 61-1-410
- speed limit, 61-8-303, 61-8-305, 61-8-310
- turning movements and signals, 61-8-336

Used motor vehicles, See **Dealers and wholesalers**
Vans, 61-1-138, 61-9-405, 61-9-407
Vehicle Equipment Safety Compact, Title 61, chapter 2, part 2
Violations, 61-8-104, 61-8-711, 61-9-104, 61-9-511
- abandoned vehicle provisions, violations generally, 61-12-408
- accidents
  - failure to stop and remain at scene, 61-7-103, 61-7-104
  - report provisions, 61-7-110, 61-7-118
- animal-drawn vehicles, lack of lamps, 61-9-513
- arrests, 61-1-304, 61-1-305, 61-8-703, 61-8-704, 61-12-206

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Violations (Continued)
- arrests (Continued)
  - guaranteed arrest bond certificates, 46-9-412, 46-9-414
  - peace officers, by, 44-1-1005, 61-10-141, 61-12-202, 61-12-203, 61-12-206, 61-12-208
  - reports concerning, 61-2-106
- auto auction provisions, 61-4-105, 61-4-120
- camper decal requirements, 61-3-606
- careless driving, 61-8-716
- certificates of ownership
  - certificate or assignment of, alteration or forgery, 61-3-603
  - dealers or wholesalers, assignment — failure to take, 61-4-104
  - erroneous, failure to return, 61-3-201
- certificate of registration receipts, erroneous — failure to return, 61-3-201
- chains, failure to use, 61-9-520
- charging, 46-3-114, 61-8-701
- child safety restraint systems, failure to have, 61-9-423
- commercial vehicle operators, 61-8-801 — 61-8-811
- controlled-access highways, use restrictions, 60-5-111, 61-8-331, 61-8-332, 61-8-720
- convictions from, See **Convictions from violations**
- criminal charge, filing, 46-3-114
- custom combiner's trucks and trailers, exceeding weight tolerance, 61-10-130
- deaf persons, interpreters for — applicability of provisions, 49-4-503
- dealers and wholesalers, 61-4-105, 61-4-210
  - certificates of ownership or origin, assignment — failure to take, 61-4-104
  - judgment for loss or damage caused by, 61-4-101
  - license plate provisions generally, 61-4-105
  - licensing provisions generally, 61-4-105
  - new vehicles towed into state, failure to label and issue certificate, 61-4-113
  - records, failure to keep, 61-4-105
  - sticker provisions, 61-4-111, 61-4-112, 61-4-119, 61-4-121
  - succession to ownership provisions generally, 61-4-136
- drag racing, 61-8-717, 61-11-203
- drivers' licenses, 44-1-1005, 61-5-307
  - false statements or affidavits, 61-5-302, 61-5-303
  - issuance unlawful when, 61-5-309
  - manufacture, unauthorized, 61-5-309
  - possession or control of more than one, 61-5-111
  - restricted, violation of restrictions imposed in, 61-2-302, 61-5-113, 61-11-101
  - surrender, failure to, 61-6-151
  - use, when, 61-5-302
- driving while
  - blood alcohol concentration excessive, 61-8-406, 61-8-722
  - license suspended or revoked, 61-5-212, 61-6-151
  - under the influence of alcohol or drugs, 45-5-205, 53-24-106, 61-8-401, 61-8-406, 61-8-714, 61-8-722
- equipment provisions generally, 44-1-1005, 61-9-104, 61-9-511, 61-9-512
- farm tractors and equipment, lack of lamps, 61-9-513
- fender and flap provisions, 61-9-407, 61-9-515
- financial responsibility provisions, 33-23-212, 61-6-151, 61-6-302, 61-6-304
- fines and forfeitures, See also specific violation
  - cities and towns, prescribing and enforcement, 7-14-4103, 61-8-401
  - county fees and expenses, 61-12-702
  - court costs, 61-12-702
  - crime victims reparation, funding by, 53-9-109
  - disposition, 23-2-814, 61-10-148, 61-12-701, 61-12-702
  - driver's license reinstatement fee in addition to, 61-2-107, 61-5-214 — 61-5-216
  - failure to pay, 61-5-214, 61-7-118, 61-8-711, 61-9-511

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Violations (Continued)
  fines and forfeitures (Continued)
    minors, offenses committed by, 61-8-723
    traffic education account, apportionment and transmittal, 20-7-504, 20-7-505
  fingerprinting and photographing of accused when, 44-5-202
  firefighter's private vehicle, unauthorized use of red light, 61-9-514
  foreign vehicle registration provisions generally, 61-3-704
  forfeiture of bail, See **Convictions from violations**
  graveyards and wrecking facilities generally, 75-10-542
  gross vehicle weight, 61-10-232, 61-12-206
    excess weight, 61-10-130, 61-10-233
    fees, failure to make payment, 61-10-209
    license expiration, operation of vehicle following, 61-10-209
    standards, violation generally, 61-10-144, 61-10-145
  habitual traffic offenders, operation of vehicle when, 61-11-213
  highway patrol officers' authority, 44-1-1001, 44-1-1003
  hunting from, 61-8-369, 87-1-102, 87-3-101
  identification cards, unlawful — issuance or use, 61-5-302, 61-5-309
  identification numbers, altering, 45-6-326, 61-3-604
  implements of husbandry, lack of lamps, 61-9-513
  insurance carriers, notice of cancellation provisions, 33-23-212
  insurance premium discount for elderly drivers, effect on, 33-16-223
  junk vehicles as reinforcement in rivers and streams, 75-7-106
  lamps, lack of, 61-9-109, 61-9-206, 61-9-513
  liability insurance
    cancellation, violation of notice requirements, 33-23-212
    lack of, 61-6-304
  license plates, 61-3-301
    dealers and wholesalers, 61-4-105
    disabled veterans, generally, 61-3-455
    manufacturer's, 61-4-223
  liquefied petroleum gas, vehicles propelled by — violations, 15-71-105
  littering, 61-8-365
  machine gun found in, 45-8-306
  manufacturers, distributors, and importers, 61-4-210, 61-4-223, 61-4-403, 61-4-405
  minors, by, See **Minors**, unlawful operation by
  motorcycle provisions, 61-9-518
    unauthorized use, 45-6-308
  moving violations, 61-11-203
  mud flap provisions, 61-9-407, 61-9-515
  negligent vehicular assault, 45-5-205, 61-5-205, 61-11-203
  new vehicle sales tax, nonpayment, 61-3-605
  odometers, tampering or violation of requirements, 61-3-607
  off-highway vehicles
    decal, failure to display, 23-2-807
    nonresident temporary-use permit, failure to display or false statements, 23-2-814
  out-of-state, effect, 61-5-206
  parking, citations, 61-12-102
  penalties, See also specific offense
    civil, 61-4-210
    generally, 61-8-104, 61-8-711
    posting, 61-8-205
  points for, 61-11-203, 61-11-211
  propane powered vehicle license tax violations, 15-71-105
  public property, leaving vehicle on, 61-8-719
  quadricycles, unauthorized use, 45-6-308
  reckless driving, 61-8-715

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Violations (Continued)

- refuse on highway, 61-8-365
- registration provisions generally, 61-3-601, 61-3-704
- salvage vehicle provisions, noncompliance, 61-3-212
- school
  - buses
    - flashing lights, operation when, 61-8-352
    - passing, in either direction — when, 61-8-715
  - children, driving through groups of, 61-8-502
- seatbelts, failure to use or lack of, 61-9-409, 61-9-516, 61-13-103, 61-13-104
- size, weight, and load
  - arrest for, 61-12-206
  - excess size and weight permits, violation generally, 61-10-145, 61-10-146
  - standards generally, violation, 61-10-144, 61-10-145, 61-10-146, 61-10-148
  - tolerance, 61-10-130, 61-10-144
  - weight limitations and prohibitions, violations, 61-10-130, 61-10-147
- slow-moving vehicles, operation when, 61-9-415, 61-9-513
- snow-removal equipment, noncompliance with lighting provisions, 61-9-228
- speed
  - charging, 61-8-701
  - contests, 61-8-717, 61-11-203
  - drag racing, 61-8-717, 61-11-203
  - limit, speed in excess of, 61-8-303, 61-8-304, 61-8-718, 61-10-128, 61-10-147, 61-11-203
  - radar used in measurement of, 61-8-702 — 61-8-704
- splash apron provisions, 61-9-407, 61-9-515
- switchblade knives within, 45-8-331
- tires
  - failure to use particular tires when, 61-9-520
  - restrictions, 61-9-519
- tow truck requirements, 61-9-517
- traction equipment, failure to use, 61-9-520
- traffic-control devices
  - advertising on, 61-8-210
  - injury or removal, 61-8-713
  - placement on highways, when, 61-8-203
  - unauthorized, erection, 61-8-712
- traffic regulations
  - obedience to, lack of, 61-8-104, 61-9-104
  - violation of provisions generally, 61-8-104, 61-8-711
- trespass, criminal, 45-6-201, 45-6-202
- unsafe condition, vehicles in — driving, 61-9-109
- use of vehicle unlawful when, 45-6-308, 61-6-304, 61-10-209
- warranty on new vehicle provisions, penalty, 61-4-533
- window tinting or sunscreening, when, 61-9-429

Volunteer emergency medical personnel, private vehicles — use of red lamps, 61-9-227
Voter registration form, driver's license application — attachment, 61-5-107
Warning devices, 61-9-401, 61-9-411, 61-9-412, 61-9-415, 61-9-416, See also **Reflectors; Traffic-control devices**
- brakes, for, 61-9-311
- flag persons or vehicles, See **Flag persons or vehicles**
- horns, 61-8-504, 61-9-401
- wide loads, for, 61-10-123

Warranty on new vehicles
- affirmative defenses, 61-4-506
- annual audit of manufacturer, filing, 61-4-512

MOTOR VEHICLES AND TRAFFIC REGULATIONS (Continued)
Warranty on new vehicles (Continued)

- arbitration, 61-4-515
  - appeals, 61-4-519, 61-4-520
  - decisions, 61-4-519
  - de novo, 61-4-520
  - disclosure statement on resale of replaced vehicle, 61-4-525
  - implementation, 61-4-517, 61-4-520
  - nonconforming procedures, 61-4-520
  - panel, 61-4-515, 61-4-516, 61-4-518 — 61-4-520
  - role of department of commerce, 61-4-518
  - technical expert, advice and consultation, 61-4-518
- dealers
  - exemption and liability to manufacturer, 61-4-505
  - repair and maintenance, performance and compensation, 61-4-204, 61-4-505
- definitions, 61-4-501
- informal dispute settlement procedure, 61-4-507, 61-4-512, 61-4-520
- nondelegable liabilities and obligations, 61-4-531
- notices
  - arbitration, request for — filing, 61-4-517, 61-4-520
  - disclosure statement on resale of replaced vehicle, 61-4-525
  - informal dispute settlement procedure certification, suspension or revocation, 61-4-512
  - manufacturer, to — of nonconformity, 61-4-501, 61-4-502
- penalty for violations, 61-4-533
- period of warranty, 61-4-501, 61-4-502
- product liability, dealer and manufacturer, 61-4-204
- reasonable number of attempts to conform, presumption, 61-4-504
- records of disputes, 61-4-526
- remedies
  - arbitration decisions to provide, 61-4-519
  - federal law, exhaustion under, 61-4-507
  - provisions nonexclusive, 61-4-506
- repair of vehicle, 61-4-519
- replacement for nonconformity, 61-4-503, 61-4-507, 61-4-511, 61-4-512, 61-4-519
  - resale, disclosure statement, 61-4-525
- return of vehicle and refund, 61-4-503, 61-4-507, 61-4-511, 61-4-512, 61-4-519
- rules, 61-4-525, 61-4-532
- uniform commercial code, applicability, 61-4-506

Weed control fees, 23-2-803, 61-3-510
Weigh stations, 15-24-203, 15-24-206, 60-4-103, 61-10-141
Weight, See **Gross vehicle weight fees; Size, weight, and load**
Wheelchairs, motorized — use and regulation, 49-4-311, 49-4-312
Wholesalers, See **Manufacturers, distributors, and importers**
Wide loads, See **Size, weight, and load**
Windshields and windows
- collector's item vehicles, original license plate validating decal, 61-3-412
- obstructions prohibited, 61-9-405
- safety glazing material, 61-9-405, 61-9-408
- sticker provisions, 61-3-317, 61-3-342, 61-3-707, 61-4-111, 61-4-112, 61-4-121, 61-10-222
- tinting or sunscreening, 61-9-405, 61-9-428, 61-9-429
- vehicle purchase sticker, display, 61-3-317
- wipers, 61-9-405

Wreckers, 61-9-416, 61-9-517
- motor carrier laws, exemption from, 69-12-102

Wrecking facilities, See **Graveyards and wrecking facilities**

MOUNTAIN VIEW SCHOOL, 20-25-421, 41-5-103, 41-5-526, 52-1-105, 52-5-108, 52-5-109, 52-5-112, 53-1-104
  See **YOUTH COURT, Correctional facilities**

MULES
  See generally **HORSES AND HORSERACING; LIVESTOCK; MEAT AND MEAT PRODUCTS; TAXATION, PROPERTY, Livestock**

MULTISTATE HIGHWAY TRANSPORTATION AGREEMENT, 61-10-1101

MULTISTATE TAX COMPACT, COMMISSION, AND ADVISORY COUNCIL, 2-15-1311, 15-1-601 — 15-1-603
  See also **TAXATION, GENERAL PROVISIONS**

MUNICIPAL COMMISSION GOVERNMENT
Abandonment of form, 7-3-4227
Accounts and Finance, Department of, 7-3-4253
Accounts, Finance, and Public Property — Department of, 7-3-4253, 7-3-4254
Actions of former government, continuation, 7-3-4206
Affidavit required when, 7-3-4207
Aldermen, See **Councilmen**
Appropriations, 7-3-4222, 7-3-4267
Authorization, 7-3-4202
Business, conduct, 7-3-4221
Bylaws, existing — continuation, 7-3-4204
Cemetery trustees, 7-3-4254
Civil service
  applicability of provisions, 7-3-4264
  commission business, conduct, 7-3-4261
  commissioners, 7-3-4257
    reports, 7-3-4261
  discharge of employees, 7-3-4259
  examinations, 7-3-4258
  investigatory powers of council, 7-3-4260
  nonpartisan appointments, 7-3-4262
  violation of provisions, 7-3-4265
Claims of former government, continuation, 7-3-4206
Contracts, 7-3-4222, 7-3-4256
  conflict of interest, 7-3-4256
Council
  appeals to, 7-3-4259
  appropriations, revision when, 7-3-4267
  business, conduct, 7-3-4221, 7-3-4253
  bylaws, alteration or repeal, 7-3-4204
  civil service
    commission business, rules for, 7-3-4261
    commissioners
      annual report, 7-3-4261
      appointment or removal, 7-3-4257
    discharge of employees, 7-3-4259
    examinations, rules, 7-3-4258
    investigatory powers, 7-3-4260
    violations, imposition of penalties for, 7-3-4265
  councilmen, filling vacancy in office, 7-3-4218

MUNICIPAL COMMISSION GOVERNMENT (Continued)
Council (Continued)

- departments
  - powers and duties prescribed by, 7-3-4253
  - superintendent, councilman as, 7-3-4254
- election, call for, 7-3-4213
- financial statement, 7-3-4266
- mayor, filling vacancy in office, 7-3-4218
- meetings, 7-3-4220, 7-3-4221, 7-3-4251
- officers and employees
  - appointed, terms of office, 7-3-4214
  - compensation, 7-3-4254, 7-3-4255
  - discharge, 7-3-4259
  - election of, 7-3-4254
  - offices, consolidation, 7-3-4254
  - powers and duties regarding, 7-3-4253, 7-3-4254
  - removal, 7-3-4254
- offices, 7-3-4219
- ordinances and resolutions
  - adoption and protests, 7-3-4222
  - alteration or repeal, 7-3-4204
- powers, 7-3-4252, 7-3-4260
- president, 7-3-4221
- proceedings, report, 7-3-4266
- quorum, 7-3-4221
- reorganization, petition filed with, 7-3-4208
- vice-president, 7-3-4221

Councilmen
- city, to govern, 7-3-4205
- compensation, 7-3-4255
- defined, 7-3-4201
- election of, 7-3-4213 — 7-3-4215
- meetings called by, when, 7-3-4220
- oath, 7-3-4217
- official bonds, 7-3-4217, See also **SURETY BONDS, City officers and employees; Official bonds**
- ordinances and resolutions, signing, 7-3-4221
- term of office, 7-3-4214, 7-3-4216
- vacancy in office, 7-3-4218
- voting rights, 7-3-4205

Definitions, 7-3-4201

Departments
- structure and operation, 7-3-4253
- superintendents, 7-3-4254
- supervision, 7-3-4221, 7-3-4254

Effect of provisions, 7-3-4203

Elections, See also **ELECTIONS, Political subdivisions, elections of**
- abandonment of commission form, for, 7-3-4227
- ballot, form, 7-3-4210, 7-3-4227, 7-3-4231
- call for, 7-3-4208, 7-3-4213
- conduct of, 7-3-4211, 7-3-4213
- "electors" defined, 7-3-4201
- franchises, authorization or approval, 7-3-4223
- general provisions, 7-3-4231
- officers, for, 7-3-4213 — 7-3-4215, 7-3-4218
- ordinances, regarding, 7-3-4222
- proclamation and notice, 7-3-4209, 7-3-4213

MUNICIPAL COMMISSION GOVERNMENT (Continued)
Elections (Continued)

- reorganization, for, 7-3-4208 — 7-3-4212
- results, effect, 7-3-4212, 7-3-4227

Employees, See **Officers and employees**
Fire departments
- applicability of provisions, 7-33-4102
- employees, 7-3-4259

Franchises
- defined, 7-3-4201
- granting, 7-3-4223
- ordinances regarding, 7-3-4222, 7-3-4223
- transportation, free — for city officials, 7-3-4256

Laws
- existing, continuation, 7-3-4203
- governing city, applicability, 7-3-4204

Liability of former government, continuation, 7-3-4206
Library Trustees, Board of, 7-3-4252, 7-3-4254
Mayor
- absence, 7-3-4221
- city, to govern, 7-3-4205
- compensation, 7-3-4255
- council
  - powers of, 7-3-4252
  - president of, 7-3-4221
- departments
  - superintendent, mayor as — when, 7-3-4254
  - supervision, 7-3-4221, 7-3-4254
- election of, 7-3-4213 — 7-3-4215
- elections, proclamation, 7-3-4209, 7-3-4213
- meetings called by, when, 7-3-4220
- oath, 7-3-4217
- official bond, 7-3-4217, See also **SURETY BONDS, City officers and employees; Official bonds**
- ordinances, signing, 7-3-4221
- powers, 7-3-4251
- reorganization, election for
  - adoption, certificate, 7-3-4212
  - proclamation, 7-3-4209
- resolutions, signing, 7-3-4221
- term of office, 7-3-4214, 7-3-4216
- vacancy in office, 7-3-4218, 7-3-4221
- voting rights, 7-3-4205, 7-3-4251

Moratoriums
- abandonment of commission form, 7-3-4227
- reorganization, 7-3-4212

Notices, 7-3-4209
Officers and employees
- abandonment of commission form, effect, 7-3-4227
- bonds, See **SURETY BONDS, City officers and employees**
- civil service
  - applicability of provisions, 7-3-4264
  - discharge of employees, 7-3-4259
  - examinations, 7-3-4258
  - nonpartisan appointments, 7-3-4262
  - violation of provisions, 7-3-4265
- compensation, 7-3-4254, 7-3-4255

MUNICIPAL COMMISSION GOVERNMENT (Continued)
Officers and employees (Continued)

- conflict of interest, 7-3-4256
- councilmen, See **Councilmen**
- departments, powers and duties, 7-3-4253
- election of, 7-3-4213 — 7-3-4215, 7-3-4218
- fines for violations, 7-3-4256
- mayor, See **Mayor**
- nonpartisan appointments, 7-3-4262
- political activities, restrictions, 7-3-4256
- removal, 7-3-4254, 7-3-4265
- selection and supervision, 7-3-4254
- transportation, free — prohibited when, 7-3-4256

Ordinances and resolutions

- adoption, requirements, 7-3-4221, 7-3-4222
- appropriations, revision, 7-3-4267
- civil service
  - commissioners, appointment, 7-3-4257
  - examinations, 7-3-4258
  - violations, penalties for, 7-3-4265
- effective date, 7-3-4222
- existing, continuation, 7-3-4204
- franchises, granting, 7-3-4222, 7-3-4223
- meetings, time for, 7-3-4220
- officers and employees
  - appointed, term of office, 7-3-4214
  - compensation, 7-3-4255
  - provision for, 7-3-4254
- offices, consolidation, 7-3-4254
- protests against, 7-3-4222
- recording, 7-3-4221
- rejection, requirements, 7-3-4221
- repeal not allowed when, 7-3-4227
- signing, 7-3-4221
- transportation, free — for city officials, 7-3-4256
- writing required, 7-3-4221

Park Commissioners, 7-3-4252
Parks and Public Property, Department of, 7-3-4253
Petitions

- abandonment of commission form, for, 7-3-4227
- ordinances, protests against, 7-3-4222
- reorganization, for, 7-3-4208
- requirements, 7-3-4207

Police, 7-3-4252, 7-3-4254, 7-3-4256, 7-3-4259, 7-32-4102
Police and Fire Commissioners, Board of, 7-3-4252
Property, 7-3-4206, 7-3-4227
Public Affairs, Department of, 7-3-4253, 7-3-4254
Public Safety and Charity, Department of, 7-3-4253
Public Works, Board of, 7-3-4252
Resolutions, See **Ordinances and resolutions**
Rights, See **Franchises**
Street and Public Improvements, Department of, 7-3-4253
Street Commissioner, 7-3-4254
Streets, Public Improvements, and Parks — Department of, 7-3-4253
Territorial limits, 7-3-4206
Utilities, 7-3-4223, 7-3-4256
Waterworks Trustees, Board of, 7-3-4252

MUNICIPAL COMMISSION GOVERNMENT (Continued)

Weights and Measures, Commissioner of, 7-3-4254

MUNICIPAL COMMISSION-MANAGER GOVERNMENT
Accounting procedures, 7-3-4432
Actions
  existing, continuation, 7-3-4304
  prosecution, 7-3-4461
  public service commission, effect, 7-3-4302
  sue and be sued, power to, 7-3-4313
Administrative officer, See **City manager**
Advertising, public, 7-3-4374
Advisory boards, 7-3-4404
Affidavit required when, 7-3-4327
Alleys, See **Streets and alleys**
Appropriations
  civil service provisions, for, 7-3-4405, 7-3-4406
  emergency purchases, 7-3-4434
  estimates of expenditures and revenues, 7-3-4371
  ordinances for, 7-3-4324, 7-3-4326, 7-3-4372
  property, 7-3-4313, 7-3-4369
  reversion, 7-3-4373
  supplies, purchase of — procedures, 7-3-4434
  transfer, 7-3-4371, 7-3-4373
Assessments, 7-3-4313, 7-3-4431, See also **Taxes**
  public improvements, 7-3-4442
  snow, ice, weed, and rubbish removal, 7-3-4453
  utility connections, 7-3-4443
Authorization for, 7-3-4301
Boards
  appointment, 7-3-4404, 7-3-4405
  civil service, See **Civil service**
  powers and duties, 7-3-4303
Bond issues, 7-3-4313
Bonds, preparation, 7-3-4461
Borrowing, powers regarding, 7-3-4313
Bridges, 7-3-4441, 7-3-4447, 7-3-4449
Buildings
  county, use, 7-3-4370
  inspection and regulation, 7-3-4464
  powers regarding, 7-3-4313, 7-3-4464
Bylaws, existing — continuation, 7-3-4303
Chief administrative officer, See **City manager**
Chief executive, See **City manager**
City attorney, 7-3-4367, 7-3-4461
City judge, 7-3-4462
City manager
  advisory boards, request for appointment, 7-3-4404
  appointment, 7-3-4314, 7-3-4361
  appropriations
    recommendations for, 7-3-4371, 7-3-4372
    transfers, request for, 7-3-4372
  "chief executive" defined, 7-1-4121
  civil service chief examiner, consultations with, 7-3-4409, See also **Civil service**
  claims, countersignature, 7-3-4433
  compensation, 7-3-4364, 7-3-4417

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)
City manager (Continued)

- contracts, approval required when, 7-3-4435
- departments
  - administration, 7-3-4362
  - directors
    - appointment, 7-3-4402
    - supervision and control, 7-3-4403
  - expenditure and revenue estimates, 7-3-4371
- expenditure and revenue estimates, 7-3-4371
- fire force employees, determination, 7-3-4466
- investigatory powers, 7-3-4366
- meetings called by, when, 7-3-4322
- officers and employees
  - accounts of officers, reports regarding, 7-3-4431
  - salaries or compensation fixed by, 7-3-4417
- park commissioners, board of — appointment, 7-16-4202
- police
  - applications for position on force, filing and referral, 7-32-4108
  - appointment of officers, 7-32-4108
    - certificate of qualification, 7-32-4108
    - revocation, 7-32-4113
  - "mayor" defined to include, 7-32-4153
  - police commission, appointment of members, 7-32-4151
  - powers generally, 7-3-4465, 7-32-4103
- powers and duties, 7-3-4363
- property, purchase and sale, 7-3-4368, 7-3-4434
- public safety, director of — supervision and control, 7-3-4464
- public service, director of — control and supervision, 7-3-4441
- public welfare, director of — supervision and control, 7-3-4463
- real property, execution of conveyance, 7-3-4368
- role, 7-3-4362
- sinking fund, trustee, 7-3-4436
- streets and alleys, resolution for vacating or change of name, 7-3-4374, 7-3-4448
- supplies, purchase and sale, 7-3-4434
- transportation, free — provisions regarding, 7-3-4367

City treasurer, 7-3-4373

Civil service
- appointments subject to, when, 7-3-4363
- board
  - appeals to, 7-3-4411
  - employees
    - discharge or demotion filed with, 7-3-4411
    - salary
      - certification, 7-3-4413
      - rules concerning, 7-3-4417
  - establishment, 7-3-4405
  - investigatory powers, 7-3-4414
  - oaths, administering, 7-3-4414
  - organization, 7-3-4406
  - probationer, discharge or reduction, 7-3-4410
  - removal from, reasons in writing, 7-3-4405
  - role, 7-3-4408
  - subpoenas, issuance, 7-3-4414
  - violations, penalties prescribed for, 7-3-4416
- chief examiner
  - appointment, 7-3-4406

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)
Civil service (Continued)
  chief examiner (Continued)
    role, 7-3-4409
  classification, 7-3-4407, 7-3-4417
  code of rules, 7-3-4408
  discrimination prohibited, 7-3-4415
  employee discharge, demotion, or suspension, 7-3-4411
  existing positions, retention, 7-3-4412
  probationary period, 7-3-4410
  salary, certification required, 7-3-4413
  violations, 7-3-4416
Claims, 7-3-4433, See also **Actions**
  former government, continuation, 7-3-4304
Commission
  advertising, public — contract rules, 7-3-4374
  appropriations and ordinances for, 7-3-4372, 7-3-4373
  assessments for snow, ice, weed, and rubbish removal, 7-3-4453
  authority generally, 7-3-4314
  boards, appointment, 7-3-4404, 7-3-4405
  buildings, inspection and regulation, 7-3-4464
  business, conduct, 7-3-4323
  bylaws, alteration or repeal, 7-3-4303
  city attorney, authorization for assistants, 7-3-4461
  city judge, qualifications and appointment, 7-3-4462
  city manager
    appointment, 7-3-4361
    expenditure and revenue estimates, 7-3-4371
    salary fixed by, 7-3-4417
  civil service board
    appointment, 7-3-4405
    code of rules, approval, 7-3-4408
    penalties for violations, approval, 7-3-4416
  clerk of the commission
    civil service, See **Civil service**
    duties, 7-3-4323
    ordinances and resolutions, filing and authentication, 7-3-4324
  commissioners
    absence, 7-3-4322
    compensation, 7-3-4321
    conflict of interest, 7-3-4367
    county buildings, rental, 7-3-4370
    county officials or employees, contracts for work by, 7-3-4370
    election of, 7-3-4310, 7-3-4311
    forfeiture of office, 7-3-4367
    meetings, 7-3-4322
    multimunicipality organization, effect, 7-3-4312
    ordinances and resolutions, signing, 7-3-4324
    police officers, gifts to — approval for retention by officer, 19-19-304
    qualifications, 7-3-4315
    quorum, 7-3-4323
    recall, 7-3-4317, 7-3-4319
    removal, 7-3-4367
    sinking fund, trustees, 7-3-4436
    term of office, 7-3-4316
    transportation, free — provision regarding, 7-3-4367
  composition, 7-3-4314
  contracts, approval required when, 7-3-4435

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)
Commission (Continued)

- departments and divisions
  - creation, 7-3-4363
  - directors, salaries fixed by, 7-3-4417
  - discontinuance, functions, and duties, 7-3-4401
- eight-hour day, establishment, 7-3-4418
- election of, 7-3-4301
- employees' salaries, 7-3-4417
- expenditures and revenues
  - appropriation, 7-3-4373
  - estimates, 7-3-4371
- finance, director of — duties required by, 7-3-4431
- governing body, as, 7-3-4314
- highways, grant of right to use or occupy, 7-3-4449, 7-3-4451
- investigations by, 7-3-4365
- local improvements, ordinances regarding, 7-3-4442
- mayor, See **Mayor**
- meetings, 7-3-4322, 7-3-4323, 7-3-4363
- ordinances, See also **Ordinances and resolutions**
  - alteration or repeal, 7-3-4303, 7-3-4372
  - appropriations, for, 7-3-4372
  - enactment procedures, 7-3-4324, 7-3-4372
  - initiative, petition for, 7-3-4327
  - powers prescribed by, 7-3-4313
  - salary, 7-3-4417
- powers and duties, 7-3-4303
  - prescribed by, 7-3-4313
- president pro tempore, 7-3-4320
- presiding officer, 7-3-4320
  - ordinances and resolutions, authentication, 7-3-4324
  - subpoenas, signing, 7-3-4365
- proceedings, 7-3-4323
- public places
  - right to use or occupy, grant of, 7-3-4449, 7-3-4451
  - supervision, 7-3-4447
- public health regulations, 7-3-4463
- purchases and sales, rules for, 7-3-4434
- records, 7-3-4323
- resolutions, See also **Ordinances and resolutions**
  - alteration or repeal, 7-3-4303
  - enactment procedures, 7-3-4324
  - powers prescribed by, 7-3-4313
- rules, 7-3-4323, 7-3-4374, 7-3-4434
- salaries, ordinance for, 7-3-4417
- streets and alleys
  - acceptance, revocation when, 7-3-4448
  - care and control, 7-3-4446
  - right to use or occupy, grant of, 7-3-4449, 7-3-4451
  - vacating or change of name, 7-3-4448
- subpoenas, issuance, 7-3-4365
- utilities
  - connections, assessments, 7-3-4443
  - franchises, renewal, 7-3-4450, 7-3-4451
  - operation, grants for, 7-3-4451, 7-3-4452
- vacancies, 7-3-4317
- witnesses, 7-3-4365, 7-3-4366

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)

Commissioners, See **Commission**
Construction of provisions, 7-3-4302
Contracts
- advertising, by, 7-3-4374
- approval required when, 7-3-4435
- conflict of interest, 7-3-4367
- county officials or employees, for work by, 7-3-4370
- preparation, 7-3-4461
- supplies, 7-3-4434
- writing required, 7-3-4461

County buildings, use, 7-3-4370, See also **Buildings**
County officials or employees, work by, 7-3-4370
Departments, See also specific department in this main category
- accounting procedures, 7-3-4432
- accounts, 7-3-4431
- administration, 7-3-4362
- attorney for, 7-3-4461
- civil service, See **Civil service**
- directors
  - appointment and removal, 7-3-4363, 7-3-4402
  - civil service provisions, See **Civil service**
  - claims, procedures, 7-3-4433
  - emergency purchases, 7-3-4434
  - property, condemnation, 7-3-4434
  - role, 7-3-4403
  - salaries, 7-3-4417
- enumeration, 7-3-4401
- expenditure and revenue estimates, 7-3-4371
- financial statements, 7-3-4431, 7-3-4432
- functions, powers, and duties, 7-3-4303, 7-3-4401
- investigations, 7-3-4365, 7-3-4366, 7-3-4433
- legal adviser, 7-3-4461
- reports, 7-3-4431
- supplies, 7-3-4431

Eight-hour day, establishment, 7-3-4418
Elections, See also **ELECTIONS**, **Political subdivisions, elections of**
- ballot, form, 7-3-4307
- city judge, 7-3-4462
- clerks, 7-3-4311
- commissioners, 7-3-4310, 7-3-4311
- commission, of, 7-3-4301
- conduct of, 7-3-4308, 7-3-4310, 7-3-4311
- general provisions, 7-3-4341
- judges, 7-3-4311
- multimunicipality organization, for, 7-3-4311
- order for, 7-3-4305, 7-3-4310
- police patrol, 7-3-4465
- proclamation and notice, 7-3-4306, 7-3-4310, 7-3-4311, 7-3-4374
- reorganization, for, 7-3-4305 — 7-3-4309
- results, effect, 7-3-4309

Emergency measures, 7-3-4325, 7-3-4326, 7-3-4434, 7-3-4463, 7-3-4465, 7-3-4466
Employees, See **Officers and employees**
Evidence, powers regarding, 7-3-4365, 7-3-4366, 7-3-4414
Expenditures, 7-3-4371, 7-3-4373

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)

Finance, Department of, 7-3-4401, 7-3-4431
  accountant, 7-3-4434
  account books kept by, 7-3-4431
  accounting procedures, 7-3-4432
  director
    assessments, duties, 7-3-4431
    assistants and employees, 7-3-4434
    civil service positions
      filling, certification, 7-3-4409
      salaries, certification required, 7-3-4413
    duties generally, 7-3-4431
    emergency purchases, 7-3-4434
    investigations by, 7-3-4433
    licenses and fees, issuance and collection, 7-3-4431, 49-3-204
    oaths, administering, 7-3-4433
    property, purchase and sale, 7-3-4434
    public money, duties, 7-3-4431
    sinking fund, trustee of, 7-3-4436
    supplies, purchase and sale, 7-3-4434
    warrants, 7-3-4431, 7-3-4433
  purchasing agent, 7-3-4434
  treasurer, 7-3-4434
Financial administration
  accounting procedures, 7-3-4432
  appropriations, See **Appropriations**
  city manager, duties, 7-3-4363
  claims, 7-3-4433
  contracts, See **Contracts**
  expenditures and revenues, 7-3-4371, 7-3-4373
  finance, department and director, See **Finance, Department of**
  investigation, 7-3-4365
  sinking fund trustees, 7-3-4436
  supplies and property, purchase and sale, 7-3-4434
Firearms, restrictions on regulation, 45-8-351
Fire department, 7-3-4466
  firefighters' retirement funds, 7-3-4464, 7-3-4466
Foodstuffs, inspection and supervision, 7-3-4463
Franchises
  exclusivity prohibited, 7-3-4451
  ordinances and resolutions for, 7-3-4326
  utilities, for, See **Utilities**
Gifts, 7-3-4313
Governing body, See **Commission**
Grants, 7-3-4450 — 7-3-4452
Health officer, 7-3-4463
Hearings, public, 7-3-4372
Highways
  public service, director of — management, 7-3-4441
  right to use or occupy, grant of, 7-3-4449, 7-3-4451
  supervision, 7-3-4447
  utility construction or operation, consent of property owner when, 7-3-4452
Improvements, 7-3-4313, 7-3-4431, 7-3-4442
Indebtedness, effect of multimunicipality organization, 7-3-4312
Initiatives, See also **Referendums**
  ordinances submitted by, 7-3-4324

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)
Initiatives (Continued)

- petition for, 7-3-4327

Institutions, 7-3-4463
Instruments to be in writing, 7-3-4461
Law, Department of, 7-3-4401, 7-3-4461
- city attorney as head, 7-3-4461

Laws
- enforcement, 7-3-4363
- existing, continuation, 7-3-4302
- governing city, 7-3-4303

Liability
- department directors, 7-3-4433
- former government, continuation, 7-3-4304

Libraries, 7-3-4463
Licenses, 7-3-4313, 7-3-4431, 45-8-351, 49-3-204
Local improvements, 7-3-4313, 7-3-4431, 7-3-4442
Mayor, See also **MAYORS**
- absence, 7-3-4320
- compensation, 7-3-4321
- designation, 7-3-4319
- elections
  - certificate, transmittal, 7-3-4309
  - proclamation, 7-3-4306, 7-3-4310
- meetings called by, when, 7-3-4322
- ordinances and resolutions, signing, 7-3-4324
- powers, 7-3-4320
- real property, execution of conveyances, 7-3-4368
- recall, 7-3-4319
- reorganization, certificate of adoption, 7-3-4309
- role, 7-3-4320
- term of office, 7-3-4316
- vacancy in office, 7-3-4319

Moratorium, reorganization, 7-3-4309
Multimunicipality organization
- effect, 7-3-4312
- procedure, 7-3-4311

Municipal plan board, 7-3-4404
Notices
- assessment, 7-3-4431
- election, 7-3-4306, 7-3-4311
- hearings, 7-3-4372
- meetings, special, 7-3-4322
- multimunicipality organization, 7-3-4311
- streets, resolution for vacating or changing name, 7-3-4448
- utility connections, construction, 7-3-4443
- writing required when, 7-3-4322, 7-3-4443

Nuisances, powers regarding, 7-3-4313, 7-3-4463
Officers and employees
- appointment, 7-3-4363
- attorney for, 7-3-4461
- bonds, See **SURETY BONDS, Officers and employees**
- civil service provisions, See **Civil service**
- commissioners, See **Commission**
- commission, of, 7-3-4323
- conflict of interest, 7-3-4367
- county, work by, 7-3-4370

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)
Officers and employees (Continued)

- department directors, responsibilities, 7-3-4403
- eight-hour day, 7-3-4418
- election of, 7-3-4341
- employment officer, See **Civil service**, chief examiner
- fees and money collected by, disposition, 7-3-4373
- investigations, 7-3-4365, 7-3-4366, 7-3-4431
- legal adviser, 7-3-4461
- multimunicipality organization, effect, 7-3-4312
- powers and duties, 7-3-4303
- removal from office, 7-3-4363, 7-3-4367, 7-3-4411
  - writing, reasons to be in, 7-3-4411
- salaries and compensation, 7-3-4313, 7-3-4417
- term of office, cessation when, 7-3-4312, 7-3-4316
- transportation, free — provision regarding, 7-3-4367

Offices, 7-3-4313, 7-3-4431
Ordinances and resolutions

- adoption, 7-3-4323
- advertising or publication, procedure, 7-3-4374
- amendment, 7-3-4324, 7-3-4327
- appropriations, for, 7-3-4324, 7-3-4326, 7-3-4372, 7-3-4374
- assessments, for, 7-3-4453
- boards, powers and duties prescribed by, 7-3-4404
- city attorney, authorization for assistants, 7-3-4461
- city judge, qualifications, 7-3-4462
- city manager
  - duties prescribed by, 7-3-4363
  - salary prescribed by, 7-3-4364
- civil service
  - board, abolishment, 7-3-4405
  - violations, penalties, 7-3-4416
- commissioners, compensation set by, 7-3-4321
- compensation set by, 7-3-4321, 7-3-4417
- departments
  - directors, appointment, 7-3-4402
  - discontinuance of functions and duties, 7-3-4401
- effective date, 7-3-4325
- eight-hour day, establishment, 7-3-4418
- emergency, 7-3-4325, 7-3-4326
- enacting clause, 7-3-4324
- enactment, procedures, 7-3-4324, 7-3-4374
- enforcement, 7-3-4363, 7-3-4463, 7-3-4464
- existing, continuation, 7-3-4303
- finance, director of — duties prescribed by, 7-3-4431
- generally, 7-3-4313
- highways, grant of right to use or occupy, 7-3-4449
- initiative
  - petition, 7-3-4327
  - submission by, 7-3-4324
- licenses and fees, payment provisions, 7-3-4431
- mayor, imposition of powers and duties, 7-3-4320
- meetings, times prescribed by, 7-3-4322
- officers' terms, cessation, 7-3-4312, 7-3-4316
- powers regarding, 7-3-4313, 7-3-4314
- property, rules regarding, 7-3-4313, 7-3-4368
- publication, 7-3-4324, 7-3-4327, 7-3-4374

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)
Ordinances and resolutions (Continued)

- public health ordinances, enforcement, 7-3-4463
- public improvements, regarding, 7-3-4442
- public money, regarding, 7-3-4431
- public places
  - right to use or occupy, grant of, 7-3-4449
  - supervision, 7-3-4447
- public service commission actions, effect, 7-3-4302
- real property, authority to execute conveyances, 7-3-4368
- recording, 7-3-4324
- referendum, subject to, 7-3-4326
- rejection, 7-3-4323
- repeal, 7-3-4303, 7-3-4326, 7-3-4327
- revision, 7-3-4303, 7-3-4324
- sinking fund, management and control, 7-3-4436
- storerooms and storehouses, provision for, 7-3-4434
- streets and alleys
  - dedication, acceptance and confirmation, 7-3-4446
  - right to use or occupy, grant of, 7-3-4449
  - vacating or changing name, 7-3-4448
- transportation, free to public officials — regarding, 7-3-4367
- utility
  - connections, work regulations, 7-3-4443
  - construction or operation, grant for, 7-3-4452
  - franchises, renewal, 7-3-4450
- weights and measures, enforcement of ordinances regarding, 7-3-4464
- writing required, 7-3-4323, 7-3-4324

Parks and playgrounds, 7-3-4463, See also **PARKS**, **Municipalities**; **RECREATION**, **Municipalities**

Petitions
- initiative, for, 7-3-4327
- multimunicipality organization, for, 7-3-4311
- reorganization, for, 7-3-4305
- utility construction or operation
  - extension of appliances and services, 7-3-4452
  - franchise renewal, 7-3-4450

Plats, supervision and written approval, 7-3-4444

Police
- department, 7-3-4465
  - supervision, 7-32-4103
- enforcement of regulations, 7-3-4313
- free tickets, passes, or services, 7-3-4367
- manager's duties, See **City manager**
- public safety, department of — powers and duties of director, 7-3-4464, 7-3-4465
- tax levies for services, 7-3-4464

Powers of municipalities, 7-3-4313, 45-8-351

Property, 7-3-4304, 7-3-4313
- appropriation, 7-3-4369
- assessments, See **Assessments**
- multimunicipality organization, effect, 7-3-4312
- purchase and sale, 7-3-4434
- real, conveyances, 7-3-4368

Public hearings, 7-3-4372

Public money, 7-3-4431

Public places
- public service, director of — management, 7-3-4441

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)
Public places (Continued)

  right to use or occupy, grant of, 7-3-4449, 7-3-4451
  supervision, 7-3-4447
  utilities, manner of use, 7-3-4452
Public Safety, Department of, 7-3-4401, 7-3-4464
  director
    duties, 7-3-4464
    fire department, rules regarding, 7-3-4466
    police department, rules and written authority regarding, 7-3-4465
  police and fire, division of, 7-3-4464
Public Service Commission actions, effect, 7-3-4302
Public Service, Department of, 7-3-4401, 7-3-4441
  director
    duties, 7-3-4441
    plats, supervisor of, 7-3-4444, 7-3-4446
    streets and alleys, acceptance, 7-3-4446
    utility connections, authority, 7-3-4374, 7-3-4443
Public Welfare, Department of, 7-3-4401, 7-3-4463
  director, duties, 7-3-4463
  health officer, 7-3-4463
Public works and improvements, 7-3-4313, 7-3-4431, 7-3-4442
Quarantines, 7-3-4463
Real property, See **Property**
Referendums, See also **Initiatives**
  franchises, renewal, 7-3-4450, 7-3-4451
  ordinances subject to, 7-3-4326
  utilities, extension of appliances and services, 7-3-4452
Reorganization for, 7-3-4305
Resolutions, See **Ordinances and resolutions**
Revenues, 7-3-4371, 7-3-4373
Rubbish removal, assessment for, 7-3-4453
Rules, 7-3-4313
Sanitary regulations, 7-3-4313, 7-3-4463
Seal, corporate, 7-3-4313
Sidewalks, snow and ice removal, 7-3-4453
Sinking fund trustees, 7-3-4436
Snow and ice removal, assessments for, 7-3-4453
Social problems, 7-3-4463
Streets and alleys
  acceptance, 7-3-4446
    revocation when, 7-3-4448
  name, changing, 7-3-4448
  platting of lands, requirements, 7-3-4444
  powers regarding, 7-3-4313, 7-3-4447
  public service, director of — management, 7-3-4441
  right to use or occupy, grant of, 7-3-4449
  supervision, 7-3-4447
  utilities, manner of use, 7-3-4452
  vacating, 7-3-4447, 7-3-4448
Subdivisions, Title 76, chapters 3 and 4, See **SUBDIVISIONS**
Sue and be sued, power to, 7-3-4313
Supplies, 7-3-4431, 7-3-4433, 7-3-4434
Taxes, 7-3-4312, 7-3-4313, 7-3-4431, 7-3-4464, See also **Assessments**
Territorial limits, 7-3-4304
Utilities
  accounting summaries and schedules concerning, 7-3-4432

MUNICIPAL COMMISSION-MANAGER GOVERNMENT (Continued)
Utilities (Continued)

- annual report, 7-3-4302
- connections, 7-3-4443
- construction or operation, 7-3-4313
  - franchises or grants for, 7-3-4450 — 7-3-4452
- powers regarding, 7-3-4313
- public service, director of — management, 7-3-4441, 7-3-4443
- rates, ordinances and resolutions for, 7-3-4326

Vital statistics, records, 7-3-4463
Warrants, 7-3-4431, 7-3-4433
Weapons, regulation, 45-8-351
Weed removal, assessment for, 7-3-4453
Weights and measures, enforcement of laws and ordinances, 7-3-4464
Witnesses, 7-3-4365, 7-3-4366, 7-3-4414

MUNICIPAL COUNCIL-MAYOR FORM OF GOVERNMENT, 7-1-114, 7-3-113

MUNICIPAL COURTS
  See also generally **COURTS; JUDGES AND JUSTICES**
Administrative expenses, 3-6-301
Appeals, See also **APPEALS, CIVIL, Limited jurisdiction, from courts of; APPEALS, CRIMINAL**, generally

- civil proceedings, 25-30-108
- criminal proceedings, 46-17-311, 46-17-404
- district court, to, 25-30-101, 25-30-108, 46-17-404
- judgments or orders, from, 3-6-110
- rules, 3-6-104

Applicability of laws

- counterclaim, 25-30-104
- criminal proceedings, 46-17-401, 46-17-403
- district court rules, 25-30-101, 25-30-106, 25-30-107, 46-17-401
- justice's court rules, 25-30-101, 25-30-105, 25-30-107, 46-17-403
- new matters, 25-30-104
- summons, 25-30-103

Assigned counsel, 46-8-201
Charges, imposition and disposition, 46-18-236
Chief of police as executive officer, 3-6-303
City and town judicial powers vested in, 7-1-4122
City courts

- abolishment, 3-6-101, 3-6-102
- conduct of municipal court applicable to, 3-11-206
- jurisdiction assumed or continuing, 3-6-101

Clerk of the court, 1-6-101, 3-1-204, 3-6-301, 3-6-302, 25-30-103
Complaint, 3-6-103
Constables, See **CONSTABLES**
Contempt, See **CONTEMPT**
Convening hours, 3-6-106
Costs, 25-30-101, 25-30-107
Counterclaim, reply, 25-30-104
Court of justice, as, 3-1-101
Court of record, as, 3-1-102, 3-6-101
Courtroom, 3-6-105
Creation, 3-6-101
Criminal procedure, See **CRIMINAL PROCEDURE**
Deposit of money in lieu of undertaking, 25-30-101, 25-31-402
Dismissal, state's liability at issue, 25-30-101

MUNICIPAL COURTS (Continued)

District court
  appeals to, 25-30-101, 25-30-108, 46-17-404
  applicability of laws, 25-30-101, 25-30-106, 25-30-107, 46-17-401
Duties, 3-6-104
Employment preference to handicapped persons, Title 39, chapter 30
Establishment, 3-6-101
Executive officer, 3-6-303
Facilities, 3-6-105
Fees and fines, 25-30-102, 25-30-107, 46-8-201, 46-17-402
Hours of business, 3-6-106
Judges, 1-1-202, 3-1-1501, See also **JUDGES AND JUSTICES**, generally
  absence from state, Const., VII, 10
  appointment, 3-1-1503, 3-6-202
  candidacy for political office, Const., VII, 10
  city judge to serve as, when, 3-6-102
  conflict of interest, 3-1-803
  disciplinary proceedings, Const., VII, 11, See **JUDGES AND JUSTICES, Judicial Standards Commission**
  disqualification, 3-1-803, 3-1-805, 3-1-1109, 3-1-1507, 3-6-202, 3-6-204, 25-30-101
    judicial standards commission, recommendation for, 3-1-1106, 3-1-1109
    motions and orders, effect upon, 25-4-101
  drivers' licenses, demand for exhibit, 61-5-116
  drug users, report to county attorney, 46-9-203
  election, 3-1-1503, 3-6-101, 3-6-102, 3-6-201, 3-6-202, 13-15-405; Const., VII, 7
  expenses, 3-1-1506, 3-6-202, 3-6-203
  forfeiture of position, Const., VII, 10
  jurisdiction and responsibility, 3-6-103, See also **Jurisdiction**
  law practice prohibited when, 3-1-601, 3-1-603, 3-1-604; Const., VII, 9
  motor vehicle
    financial responsibility, approval of bonds as proof of, 61-6-137
    liability insurance cards, exhibition when, 61-6-302
  number required, determination, 3-6-202
  political party office prohibited, 3-1-604
  pro tem, 3-6-204
  qualifications, 3-6-202; Const., VII, 9
  removal, Const., VII, 11, See **JUDGES AND JUSTICES, Judicial Standards Commission**
  residence, 3-6-202; Const., VII, 9
  restrictions generally, Const., VII, 9; Title 3, chapter 1, part 6, See **JUDGES AND JUSTICES**, generally
  salary, 3-1-1109 — 3-1-1111, 3-6-203; Const., VII, 7
  search warrants, issuance, 46-5-220
  sessions, designation, 3-6-106
  substitute, 3-1-803, 3-1-805, 3-6-204, 25-30-101
  substitution, 3-1-803, 3-1-805, 3-6-204
    applicability of laws, 25-30-101
    costs, 25-10-205
    judicial standards commission recommendation for, 3-1-1106, 3-1-1107, 3-1-1109, 3-1-1110; Const., VII, 11
  term of office, 3-6-201; Const., VII, 7
  testimony, self-incriminating — may compel, 46-15-331
  training and certification, 3-1-1501 — 3-1-1503, 3-1-1506, 3-1-1507, 3-6-202, 13-15-405
  vacancy in office, 3-1-1507, 3-6-202
  youth court, probable cause hearings, 41-5-303
Judgments, 3-6-110, 25-30-101, 25-30-106

MUNICIPAL COURTS (Continued)

Judicial power vested in, 3-1-113; Const., VII, 1
Juries, See **JURIES AND JURORS, Limited jurisdiction, juries in courts of**
Jurisdiction, 3-6-103; Const., VII, 1
  alcoholic beverage violations by minors, 41-5-203
  appellate jurisdiction in district court, 46-17-311
  assumed from or continuing over city court, 3-6-101
  concurrent
    city court, 40-4-123
    district court, 40-4-123
    justices' courts, 40-4-123
    youth court, 41-5-203
  criminal, 46-2-204
  gambling violations committed by minors, 23-5-158
Justices' courts, applicability of laws, 25-30-101, 25-30-105, 25-30-107, 46-17-403
Officers of the court, 3-6-303
Parties, unknown person as defendant, 25-30-101
Police officers as officers of court, 3-6-303, 25-30-105
Powers and duties, 3-1-113, 3-6-104; Const., VII, 1; VII, 2
Preliminary hearings, 3-6-103
Process of
  execution, 3-6-303
  summons, 25-30-103
  unknown person as defendant, 25-30-101
Records, 3-6-302
Restraining orders, self-help temporary, 40-4-122 — 40-4-125
Rules of practice and procedure, adoption, 3-6-104, 25-30-101; Const., VII, 2
Seal, 1-4-202, 3-1-201, 3-1-204 — 3-1-206
Sentencing limitations, 46-18-202
Sessions, 3-6-106
Severance of issues, 25-30-101
Substitute judge, See **Judges**
Summons, 25-30-103
Supervisory control of supreme court, Const., VII, 2
Supplies, 3-6-105
Trial, 25-30-101
Vesting of judicial power, 3-1-113; Const., VII, 1

MUNICIPAL FINANCE CONSOLIDATION ACT OF 1983, Title 17, chapter 5, part 16
  See **BONDS AND BOND ISSUES, Municipal finance consolidation**

MUNICIPALITIES
  See **CITIES AND TOWNS; LOCAL GOVERNMENT**; specific form of government

MUNICIPAL POLICE OFFICERS' RETIREMENT ACT, Title 19, chapter 9
  See **POLICE OFFICERS' RETIREMENT SYSTEM, STATE PLAN**

MUNICIPAL REVENUE BOND ACT OF 1939, Title 7, chapter 7, part 44
  See **CITY FINANCE, Revenue bonds**

MUSEUMS
  See also generally **ANTIQUITIES; ARTS AND CULTURE; HISTORICAL SOCIETY**
Antiquities permits, 22-3-432
Beer and table wine license for certain nonprofit arts organizations, 16-4-303, 16-4-501
County
  budget, 7-16-2204, 7-16-2205
  defined, 7-16-2201

MUSEUMS (Continued)
County (Continued)

- erection and maintenance, 7-8-2102, 7-16-2101, 7-16-2204, 7-16-2205
- establishment and acquisition, 7-16-2202, 7-16-2205
- gifts and donations, 7-16-2204
- land, acquisition and use limitation, 7-16-2105, 7-16-2106, 7-16-2321
- management, 7-8-2103, 7-16-2204
- tax levy for, 7-16-2205
- trustees, board of
    - appointment, number of members, and term, 7-16-2203
    - county museum fund, administration, 7-16-2203
    - role, 7-16-2204
    - reports, written, 7-16-2204

Cultural and aesthetic project grants, See also **ARTS AND CULTURE**
Fire protection and safety regulation, 50-61-103, See **FIRES AND FIRE PROTECTION**, generally
Gambling devices, illegal — possession or display, 23-5-152
Gifts, 7-16-2204
Grizzly bears or parts, donation, 87-1-511
Historical museum, 22-3-102, 22-3-103, See also **HISTORICAL SOCIETY**, generally
Insurance, See **INSURANCE, MARINE**, generally
Law Enforcement Officers' Memorial, 22-3-701
Loans of property to

- agreements, written, 22-3-506, 22-3-508
- applicability of provisions, 22-3-523
- citation of museum loan act, 22-3-501
- conservation of loaned property, 22-3-508, 22-3-521
- definitions, 22-3-503
- disposal of loaned property, 22-3-508, 22-3-521
- donation of loaned property, 22-3-521
- injury to or loss of property, 22-3-508, 22-3-509, 22-3-521
- interest in property, notice of intent to preserve, 22-3-506, 22-3-521
- lender, notices to, 22-3-505, 22-3-509, 22-3-510, 22-3-521
- limitation on actions, 22-3-521
- loaned property, conservation or disposal, 22-3-508, 22-3-521
- notices
    - intent to preserve interest, of — filing, retention, and form, 22-3-506, 22-3-521
    - lender, to
        - injury to or loss of property, 22-3-509, 22-3-521
        - manner of giving, 22-3-505
        - termination of loan, 22-3-510, 22-3-521
    - owner of property
        - change of address or transfer of ownership, 22-3-502, 22-3-507
        - intent to preserve interest, of, 22-3-506, 22-3-521
- owner of property
    - change of address or transfer of ownership, 22-3-502, 22-3-507
    - intent to preserve interest, of, 22-3-506, 22-3-521
- purpose of provisions, 22-3-502
- recovery of property, 22-3-521
- termination of loan, notice, 22-3-510, 22-3-521
- terms, indefinite or specified, 22-3-504
- title to property, 22-3-502, 22-3-521
- unclaimed property
    - title vested to, 22-3-502
    - uniform act superseded, 22-3-522, 70-9-106
- writings
    - agreements, 22-3-506, 22-3-508

MUSEUMS (Continued)
Loans of property to (Continued)
  writings (Continued)
    contact between lender and museum, effect on action to recover property, 22-3-521
    interest in property, notice of intent to preserve, 22-3-506
    owner of property, notice
      change of address or transfer of ownership, 22-3-507
      intent to preserve interest, of, 22-3-506
    term of loan, concerning, 22-3-504
Mines and Geology, Bureau of — deposit of material collected by, 20-25-212
Montana Agricultural Center and Museum of the Northern Great Plains, 23-1-109
Motor vehicles, gross vehicle weight fee exemption, 61-10-214
Municipalities
  establishment, 7-16-4103
  financing, 7-16-4104, 7-16-4105
  tax levy, 7-16-4105
Museum Loan Act, Title 22, chapter 3, part 5, See **Loans of property to**
Obscene material, public display or dissemination to minors — nonapplicability of provisions when, 45-8-206
Park Commissioners, County Board of — powers, 7-16-2321, 7-16-2327
Predatory animal skins, hides, and specimens — presentation to, 81-7-105, 81-7-120
Public, county contributions to, 7-16-2202, 7-16-2205
Slot machines, antique — possession permitted, 23-5-153
Smoking in, prohibited, 50-40-105
Tax exemption, 15-6-201

N

NAMES
Actions, in, 25-5-102, 25-5-104
Assumed business name, Title 30, chapter 13, part 2
Banks and trust companies, 32-1-301, 32-1-302, 32-1-402
Building and loan associations, 32-2-201, 32-2-401
Business trusts, 35-5-201
Change of, See also **SPECIAL PROCEEDINGS**, generally
  adoption proceedings, child, 40-8-121
  assumed business names, 30-13-209, 30-13-210, See also **ASSUMED OR FICTITIOUS NAMES**
  building and loan associations, 32-2-401
  conservation districts, 76-15-801, 76-15-803
  corporations, 35-1-226, 35-1-233, 35-1-308, 35-1-310
  counties, 7-2-2501 — 7-2-2514
  deaf and blind, Montana school for the — effect, 20-8-101
  deeds, effect, 70-20-109
  dental hygienists, 37-4-406
  dentists, 37-4-307
  dismissal, 27-31-204
  dissolution of marriage, wife's former name restored, 40-4-108
  drivers' licenses, notice, 61-5-115
  foreign corporations, 35-1-1029, 35-1-1031, 35-2-822, 35-2-826
  hearing, 27-31-201, 27-31-203
  invalidity of marriage, wife's former name restored, 40-4-108
  jurisdiction of district court, 27-31-101 — 27-31-103
  minors, 27-31-101, 27-31-201, 40-8-121
  nonprofit corporations, 27-31-102, 35-2-222, 35-2-228
  objections, 27-31-202

NAMES (Continued)
Change of (Continued)

- order for change, 27-31-204
- person, availability, 27-31-101
- petition, 27-31-101, 27-31-102, 27-31-201
- physical therapists, 37-11-201
- physicians, 37-3-310
- secured transactions, filing of financial statements — effect, 30-9-402
- state parks, historical sites, or monuments, 23-1-102, 23-2-404
- streets, 7-3-4448, 7-14-4112
- unclaimed property, effect, 70-9-301
- venue, 27-31-101, 27-31-102
- voter registration, effect, 13-2-511, 13-2-512
- watercourses, 2-15-401, 85-2-131 — 85-2-134
- witnesses, 27-31-203

Cities and towns, 7-1-4102
City-county consolidated governments, 7-3-1203, 7-3-1204, 7-3-1209
Community college districts, 20-15-102
Condominiums, exclusivity, 70-23-303, 70-23-304
Conservation districts, 76-15-213, 76-15-801, 76-15-803
Corporate credit unions, 32-3-801
Corporate names exclusive, 30-13-202, 35-1-308, 35-1-309, 35-1-311

- banking corporations, 32-1-301, 32-1-302, 32-1-402
- building and loan associations, 32-2-201
- business corporations, 35-1-308, 35-1-309, 35-1-311
- credit unions, 32-3-103
- development corporations, 32-4-201
- dissolution, effect, 35-6-203
- nonprofit corporations, 35-2-305, 35-2-306, 35-2-826
- professional corporations, 35-4-206
- ranches, 30-13-112
- reinstatement, effect, 35-6-203
- utilities, rural cooperatives, 35-18-201

Corporations, See **CORPORATIONS**
Counties, 7-1-2102, See also **Change of**
Drugs, dangerous — scheduled drugs, 50-32-206
Farm names, 30-13-112
Fictitious, Title 30, chapter 13, part 2
Fraternal benefit societies, 33-7-208
Goodwill, name excluded, 30-13-121
Grazing districts, 76-16-201, 76-16-204
Health maintenance organizations, 33-31-312
Identity of person presumed from, 26-1-602
Insurers

- domestic stock and mutual, 33-3-201
- farm mutual, 33-4-103, 33-4-202, 33-4-203
- generally, conflict, 33-2-107
- reciprocal, 33-5-103

Limited liability companies, See **LIMITED LIABILITY COMPANIES**
Limited partnerships, See **LIMITED PARTNERSHIPS**
Montana university system, 20-25-102
Negotiable instruments, See **NEGOTIABLE INSTRUMENTS, Endorsement; Signatures**
Nonprofit corporations, See **NONPROFIT CORPORATIONS**
Partnerships, See **PARTNERSHIPS**
Political party name, use, 13-10-602
Postsecondary educational institutions, 20-30-202

NAMES (Continued)

Professional corporations, 35-4-206, 35-4-502
Ranch names, 30-13-112
Religious corporations sole, 35-3-202, 35-3-205, 35-3-209
Service marks, See **TRADE REGULATION AND COMPETITION, Trademarks and service marks**
Solid waste management district, 7-13-204
State parks, historical sites, or monuments, 23-1-102, 23-1-103, 23-2-404
Trademarks and trade names , See **TRADE REGULATION AND COMPETITION, Trademarks and service marks**
Utilities, rural cooperative, See **UTILITIES, RURAL COOPERATIVE**
Water quality districts, 7-13-4505

NATIONAL CRIME INFORMATION CENTER (NCIC), 44-2-503, 44-2-505, 61-3-106

NATIONAL GUARD REENLISTMENT OR EXTENSION ACT OF 1981, Title 10, chapter 1, part 8
  See **MILITARY AFFAIRS, National guard**

NATIONWIDE INLAND MARINE DEFINITION ACT, 33-1-221 — 33-1-229
  See **INSURANCE, MARINE**

NATIVE AMERICANS
  See **INDIANS**

NATURAL AREAS, Title 76, chapter 12
  See **LAND USE PLANNING**

NATURAL DISASTER
  See **EMERGENCIES AND EMERGENCY POWERS**, generally

NATURAL GAS
  See generally **OIL AND GAS; UTILITIES**

NATURALIZATION
Arrest authority of officers, 46-6-412
Birth date, judicial determination — effect, 27-32-101, 27-32-102
Criminal proceedings, guilty plea — effect, 46-12-210
Declarations of intention, index, 3-5-514
Fees, 3-5-515
Final papers, recordkeeping by clerk of the district court, 3-5-514
Jurisdiction in district court, 3-5-302; Const., VII, 4

NATURAL RESOURCES
Boundary Advisory Committee, Montana-Western Canadian Provinces — representation on, 1-13-103
Clean and healthful environment, right to, Const., II, 3; IX, 1
Community service advisory council, representation, 90-14-104
Conservation speed limit, 61-8-304, 61-8-305, 61-8-718
Conservation
  cooperative agreements for, 76-11-102
  solid waste management, through, Title 75, chapter 10, See **SOLID WASTE MANAGEMENT**
County zoning, effect, 76-2-209
Defined, 75-10-950
Development, 90-1-101
Economic development bonds, Title 17, chapter 5, part 15
Environmental Policy Act, Title 75, chapter 1, parts 1 — 3
Facility Siting Act, Title 75, chapter 20

NATURAL RESOURCES (Continued)

Federal returns on, Title 17, chapter 3, part 2
Fire protection
  cooperative agreements for, 76-11-102
  general provisions, 76-11-101
  rural, Title 7, chapter 33, part 22, See **FIRES AND FIRE PROTECTION, Rural fire protection**
Flathead Basin Commission, Title 75, chapter 7, part 3
Forests, See **FORESTS AND FORESTRY**
Hazardous or deleterious substance, remedial action upon release, Title 75, chapter 10, part 7
Information system
  availability of information, 90-15-304
  cooperation among governmental agencies, 90-15-303
  definitions, 90-15-102
  establishment, 90-15-101, 90-15-301
  funding, 90-15-103
  ground water assessment steering committee, representation on, 2-15-1523
  methods, 90-15-201
  natural heritage program, 90-15-102, 90-15-201, 90-15-302, 90-15-303
  natural resource data system advisory committee, 2-15-1514, 90-15-102
    consultations, 90-15-301
    duties, 90-15-201
    interagency cooperation, 90-15-303
    meetings, 90-15-203
    staff, 2-15-1514, 90-15-202
  purpose of provisions, 90-15-101, 90-15-301
Land Commissioners, Board of — rules for fire protection, 76-11-101
Landscape architects, Title 37, chapter 66
Megalandfill siting
  damage or impairment by facilities — reclamation, restoration, or replacement, 75-10-950 — 75-10-954
  purpose of provisions, 75-10-902
Mining operations, preservation of resources, 82-4-402
Mint and mint oil production, legislative findings, 80-11-401
Montana Conservation Corps work experience projects, Title 23, chapter 1, part 3
Natural areas, Title 76, chapter 12, part 1
Open-space lands for preservation, Title 76, chapter 6
Park rangers, enforcement of state parks laws, 23-1-121
Perpetuation, 76-11-102
Planning and zoning district recommendations, effect, 76-2-109
Planning board provisions, effect, 76-1-113
Port authorities, purpose, 7-14-1104
Principal and income determinations, 72-34-404, 72-34-410 — 72-34-412
Protection, Const., IX, 1
Reclamation, 75-10-950 — 75-10-954; Const., IX, 2
Right to clean and healthful environment, Const., II, 3; IX, 1
Smith River management, Title 23, chapter 2, part 4
Soil, conservation and erosion control, 76-11-102
Soil survey and mapping program, Title 76, chapter 11, part 2
Solid waste management, conservation by, Title 75, chapter 10, See **SOLID WASTE MANAGEMENT**
State lands, See **STATE LANDS**
State Lands, Department of — fire protection duties and agreements, 76-11-101, 76-11-102
Supervision, Const., VI, 8
Tax to protect, Title 15, chapter 38; Const., IX, 2

NATURAL RESOURCES (Continued)

Underground storage tank installation or closure to protect, 75-11-202
Water, See **WATER**
Wilderness areas, Title 76, chapter 12, part 1

NATURAL RESOURCES AND CONSERVATION, BOARD OF
Allocation, 2-15-3302
Appointments to, 2-15-3302
Bond validation, Title 17, chapter 5, part 2
Composition, 2-15-3302
Conservation districts, duties, Title 76, chapter 15
Facility Siting Act, duties, Title 75, chapter 20
Floodplains and floodways, duties, Title 76, chapter 5
Geothermal resources and exploration, 75-20-1001
Grazing districts, duties, Title 76, chapter 16
Nuclear energy conversion facilities, Title 75, chapter 20, part 12
Quasi-judicial, designation as, 2-15-3302
Reclamation and development grants program, Title 90, chapter 2, part 11
Streambed protection, rulemaking authority, 75-7-117
Wastewater treatment works revolving loan program, rulemaking, 75-5-1105
Water, authority, Title 85, chapters 1 and 2
Water users' associations, appeals on operation of water projects, 85-6-109
Weather modification, authority, Title 85, chapter 3
Yellowstone River, authority, 85-2-603, 85-2-806, 85-20-109, 85-20-113

NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF
  See also **EXECUTIVE BRANCH**
Agriculture, Department of — transfer of funds to, 80-7-720
Boards
  natural resources and conservation, See **NATURAL RESOURCES AND CONSERVATION, BOARD OF**
  oil and gas conservation, See **OIL AND GAS**
  water well contractors, 2-15-3307; Title 37, chapter 43, part 2
Clean coal technology demonstration fund, transfer to, 17-5-703
Clean coal technology projects, 15-24-2301, 15-24-2302; Title 90, chapter 4, part 9
Conservation districts, duties, Title 76, chapter 15
Creation, 2-15-3301
Dams, authority, Title 85, chapter 15
Director, 2-15-3301, 2-15-3306, 2-15-3307; Const., VI, 8
Divisions
  conservation districts, administration of rangeland resource program, 76-14-103
  oil and gas conservation, 82-11-101, 82-11-213
  water resources
    bond interest rates, nonapplicability, 17-5-101
    water pollution control advisory council, administrator as member, 2-15-2107
Drought Advisory Committee, allocation and representation, 2-15-3308
Energy, Title 90, chapter 4
Environmental contingency grant program, 75-1-1101
Facility Siting Act, Title 75, chapter 20
Floodplains and floodways, duties, Title 76, chapter 5
Forests, national — jurisdiction, 85-1-214
Geothermal resources and exploration, 75-20-1001
Grazing districts, duties, Title 76, chapter 16
Ground Water Assessment Steering Committee, appointments to, 2-15-1523
Irrigation, state projects — authorization, 85-1-204
Irrigation districts, duties, 85-7-103, 85-7-1910
Lakes, regulation of construction projects affecting, 75-7-209

NATURAL RESOURCES AND CONSERVATION, DEPARTMENT... (Continued)

Local government
  certificates of environmental compatibility and public need, powers, 7-1-111
  infrastructure projects, rules for, 90-6-703, 90-6-710
Megalandfill siting, duties, 75-10-913, 75-10-918, 75-10-927
Montana Conservation Corps program, Title 23, chapter 1, part 3
Natural gas, authority, Title 82, chapters 10 and 11
Natural Resource Data System Advisory Committee, employee appointed to, 2-15-1514
Natural resource information system, as data source agency, 90-15-102
Noxious weed management, cooperative agreements, 7-22-2151
Oil and gas, authority, Title 82, chapters 10 and 11
Rangeland resources, administration, Title 76, chapter 14
Rangeland Resources Committee, allocation, 2-15-3305
Rangeland resources, state coordinator for, 2-15-3304
Reclamation and development grants program, Title 90, chapter 2, part 11
Reservoirs, authority, Title 85, chapter 15
Soil Survey Advisory Council, 2-15-3306, 76-11-204
Soil survey and mapping program, duties, 76-11-203, 76-11-204
State Building Energy Conservation Act, Title 90, chapter 4, part 6
Supervision, Const., VI, 8
Transloading facility, demonstration truck/train — transfer of funds for grant, 7-14-120
Utilities, integrated least-cost resource plans — duties, 69-3-1204, 69-3-1205
Wastewater treatment works revolving loan program, duties, Title 75, chapter 5, part 11
Water, authority, Title 85, chapters 1 and 2
Water conservancy districts, authority, Title 85, chapter 9
Water users' associations, operation of projects with, 85-6-109
Water well contractors and drillers, duties, Title 37, chapter 43
Weather modification, authority, Title 85, chapter 3
Weed management, 7-22-2151, 80-7-720
Yellowstone River, authority, Title 85, chapter 2, parts 6 and 8; Title 85, chapter 20, part 1

NATURAL STREAMBED AND LAND PRESERVATION ACT OF 1975, Title 75, chapter 7, part 1
  See **RIVERS AND STREAMS, Streambed protection**

NATUROPATHY AND NATUROPATHIC PHYSICIANS
Administration of provisions, 37-26-201
Advertising, 37-26-408
Affidavits, 37-26-403
Alcohol abuse, effect, 37-26-408
Aliens, 37-26-201, 37-26-404
Alternative Health Care Board, 2-15-1840; Title 37, chapter 26, part 2
Anesthetics, 37-26-103
Childbirth attendance, 37-26-103
  certification for specialty practice required, 37-26-304
  therapeutic substances, drugs, and therapies prescribed for, 37-26-301
Citation of Naturopathic Health Care Practice Act, 37-26-101
Communicable diseases, responsibility, 37-26-303
Complaints against, 37-26-201, 37-26-409, 37-26-410
Continuing education, requirements, 37-26-201
Contraception, barrier devices for, 37-26-301
Controlled substances, effect of violations concerning, 37-26-408
Counseling by, 37-26-301
Deceptive practices, 37-26-408
Diagnostic procedures, 37-26-301
Disciplinary actions, 37-26-201, 37-26-408, 37-26-409
Diseases, responsibility, 37-26-303

NATUROPATHY AND NATUROPATHIC PHYSICIANS (Continued)

Drug abuse, effect, 37-26-408
Drugs
    definitions, 37-26-103
    prescription, dispensation or administration, 37-26-301, 37-26-302
Enforcement of provisions, 37-26-201, 37-26-409, 37-26-414
Exemptions, 37-26-302
Falsification, 37-26-201, 37-26-408
Fines, 37-26-414
Fraudulent practices, 37-26-408
Health, local boards of — applicability of provisions, 37-26-303
Homeopathic preparations
    defined, 37-26-103
    prescription, dispensation, or administration, 37-26-301, 37-26-302
Incompetence, 37-26-408
Injunction when, 37-26-401
Investigations, 37-26-103, 37-26-201, 37-26-403, 37-26-409
Laboratory tests, 37-26-301
Legislative findings, 37-26-102
Licenses and licensing, Title 37, chapter 26, part 4
    affidavits and certificates, 37-26-403
    applications, 37-26-403
    continuing education, 37-26-201
    denial, suspension, or revocation
        grounds for, 37-26-403, 37-26-408
        procedure, 37-26-409
        reinstatement following suspension, 37-26-410
    discrimination in issuance prohibited, 49-3-204
    endorsement, by, 37-26-404
    examinations, 37-26-201, 37-26-402, 37-26-403
    fees, 37-26-201, 37-26-403
    fraudulent practices in obtaining, 37-26-408
    hearings, 37-26-409, 37-26-410
    inactive license, 37-26-404
    issuance, 37-26-201, 37-26-401, 37-26-403 — 37-26-405, 37-26-409
        discrimination prohibited, 49-3-204
        refusal, 37-26-408
    nonresidents, 37-26-404
    qualifications, 37-26-402, 37-26-403, 37-26-405
    reciprocity, 37-26-201, 37-26-404
    reinstatement, 37-26-410
    renewal, 37-26-201
    required, 37-26-401, 37-26-402
    restrictions, 37-26-201
    standards, 37-26-102
    temporary, 37-26-201, 37-26-403
    titles and terms, use without, 37-26-401
Malpractice, 37-26-404, 37-26-408
Medical colleges, 37-26-103
    approval, 37-26-103, 37-26-201
    license qualifications, 37-26-402 — 37-26-404
Mental illness or disability, 37-26-408
Midwives, provisional license to work with, 37-27-205
Minor surgery, See **Surgery, minor**
Naturopathic Health Care Practice Act, Title 37, chapter 26
Nonresidents, 37-26-404

NATUROPATHY AND NATUROPATHIC PHYSICIANS (Continued)

Nutrition and nutritional counseling, 37-26-301, 37-26-302
Practice of, 37-26-103
  assumed name, under, 37-26-408
  license required, 37-26-401
  restrictions, 37-26-301
Prescriptions, authority, 37-26-301
Probation, 37-26-409
Public health duties, 37-26-303
Purpose of provisions, 37-26-102
Reciprocity, 37-26-201, 37-26-404
Restrictions, 37-26-201, 37-26-301
Scope of practice, 37-26-201, 37-26-301 — 37-26-304
Specialty practice, certification, 37-26-201, 37-26-304
Surgery, minor, 37-26-103
  performance of procedures, 37-26-301
  restrictions, 37-26-201
  therapeutic substances, drugs, and therapies prescribed for, 37-26-301
Title and terms, use, 37-26-401
Therapeutic substances, drugs, and therapies — prescription and administration, 37-26-103, 37-26-301
Topical drugs, 37-26-103, 37-26-301, See also **Drugs**
Unprofessional conduct
  alternative health care board members, 2-15-1840
  licenses — denial, revocation, or suspension, 37-26-403, 37-26-408
Violations
  complaints alleging, 37-26-409
  disciplinary actions, 37-26-201
  drug dispensation when, 37-26-301
  injunction to restrain, 37-26-401
  licenses — denial, suspension, or revocation, 37-26-408
  prosecution, 37-26-414
  title and terms, use without license, 37-26-401
Vital statistics, responsibility, 37-26-303

NAVIGABLE WATERS
  See **WATER**

NEGLECT
Actions, dismissal for neglect to prosecute — effect, 27-2-407, 30-2-725
Aged persons, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Alcoholic beverages
  beer brewers or wholesalers, nonpayment of tax, 16-1-409
  carriers, submission of records for inspection, 16-6-109
Alternative Health Care Board, removal of members for, 2-15-1840
Animals, 45-8-211
  damages, 27-1-222, 27-1-301
Arrest, prejudgment — for neglect of duty, 27-16-102
  sureties, neglect to pay judgment, 27-16-504
Attachment of property, secured party's neglect to file affidavit, 27-18-414
Bank collections, loss or destruction of items, 30-4-202
Capital companies, failure to make qualified investments, 90-8-301
Carriers
  alcoholic beverages, of — submission of records for inspection, 16-6-109
  passenger
    baggage, passengers' failure to check, 69-11-204
    starting carrier at scheduled times, neglect in, 69-11-202

NEGLECT (Continued)

Children, See generally **CHILD ABUSE AND NEGLECT; MINORS, Interstate Compact on Juveniles; PUBLIC ASSISTANCE, Aid to families with dependent children (AFDC)**
Chiropractors, lien rights for services rendered to persons injured by neglect of another, Title 71, chapter 3, part 11
Coal mines
    doors, failure to close, 50-73-305
    map, failure to furnish or update, 50-73-209
Conservation districts
    board of adjustment
        members, removal from office, 76-15-721
        variance proceedings, failure to urge contention, 76-15-727
    supervisors, removal from office, 76-15-314
Consumer counsel, regulated companies' failure to file statement or pay fee, 69-1-225, 69-1-226
Corrections facilities and programs, community — offender's neglect in returning to, 53-30-326
County licenses, failure to have or conduct of business without, 7-21-2116
Criminal charges when, 45-5-622, 45-8-211
Dairies, failure to obey departmental orders, 81-22-601
Debts, assignment for benefit of creditors
    inventory, assignor's failure to make, 31-2-214
    void when, 31-2-209
Defined, 1-1-204
Dentists, lien rights for services rendered to persons injured by neglect of another, Title 71, chapter 3, part 11
Developmentally disabled persons, See **DEVELOPMENTALLY DISABLED PERSONS, Abuse, neglect, or exploitation; Mistreatment; Protective proceedings, Department of Family Services as guardian or conservator**
Duty, of
    agent, by, 27-16-102
    alternative health care board, removal of members for, 2-15-1840
    arrest, prejudgment — for, 27-16-102
    attorneys at law, 3-1-501, 37-61-212, 40-5-166
    banks and trust companies
        entries in bank records, failure to make, 32-1-464
        officers, directors, or employees, 32-1-464, 32-1-468
        reports to department of commerce, failure to make, 32-1-235
    building and loan association directors, officers, or employees, 32-2-107, 32-2-304
    cemetery association secretary, failure to keep records, 35-20-211
    city attorney, 7-4-4603
    city court judges, failure to transmit papers following notice of appeal, 25-33-104
    city officers, 7-4-4111, 7-7-121, 15-1-301
    city or town council members, 7-7-4266
    city treasurer, 7-6-210, 7-6-212
    conservation districts
        board of adjustment members, removal from office, 76-15-721
        supervisors, removal from office, 76-15-314
    contracts, mistake of fact not caused by, 28-2-409
    corporation officers, 27-16-102, 27-28-506
    county assessor, 15-1-202
    county attorney, 7-6-2117
    county commissioners, board of, 7-7-121, 7-7-2266, 7-14-2133, 7-14-2201
    county coroner, 3-1-501
    county officers, 7-4-2111, 7-7-121

NEGLECT (Continued)
Duty, of (Continued)
- county sheriff, 3-1-501, 7-32-2130, 7-32-2131
- county surveyor, 7-4-2803
- county treasurer, 7-6-210, 7-6-212, 7-6-2113, 7-14-2761, 7-14-2801, 15-16-113
- dentistry, board of — removal of members for, 2-15-1842
- drainage district commissioners, removal from office, 85-8-314
- election officials, 13-35-204
- fiduciaries, 27-16-102, 72-16-609
- firefighters, 7-3-4259, 7-33-4123
- housing authorities, municipal — commissioners, 7-15-4436
- irrigation district commissioners, 85-7-2142
- judicial officers, 3-1-501, 77-1-114
- jurors, 3-1-501, 25-7-206
- justices of the peace, failure to transmit papers following notice of appeal, 25-33-104
- marriage certificates, failure to deliver, 40-1-321
- medical examiners, board of — removal of members for, 2-15-1841
- municipal commission government, civil service employees, 7-3-4259
- nursing, board of — removal of members for, 2-15-1844
- occupational therapy practice, board of — removal of members for, 2-15-1859
- park commissioners
  - county board members, vacation of office, 7-16-2305
  - municipal board members, vacation of office, 7-16-4205
- passenger tramway safety, board of — removal of members for, 2-15-1896
- physical therapy examiners, board of — removal of members for, 2-15-1858
- police, 7-3-4259, 7-32-4105, 7-32-4155
- political practices, commissioner of — removal from office, 13-37-102
- pork research and marketing committee members, removal from office, 81-8-604
- private security patrol officers and investigators, board of — removal of members for, 2-15-1891
- professional engineers and professional land surveyors, board of — removal of members for, 2-15-1873
- public accountants, board of — removal of members for, 2-15-1866
- public employees, 17-2-109, 75-10-940, 75-20-404, 82-4-142, 82-4-252, 82-4-354
- public officers, 2-6-107, 2-16-501, 15-1-202, 17-2-109, 27-16-102, 75-10-940, 75-20-404, 82-4-142, 82-4-252, 82-4-354
- real estate appraisers, board of — removal of members for, 2-15-1868
- sales, by factor, 27-16-102
- school trustees, 20-9-444
- securities brokers, 27-16-102
- state treasurer, 17-6-101
- teachers, 20-4-110
- town clerk, 7-6-210, 7-6-212
- urban renewal agency commissioners, 7-15-4234
- veterinary medicine, board of — removal of members for, 2-15-1852
- wheat and barley committee, removal of members for, 2-15-3002
- witnesses, 5-5-103, 5-5-104, 15-1-302, 15-2-201, 39-31-106, 69-14-113, 72-16-204

Elderly persons, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Endangering the welfare of children, 45-5-622, See **CHILD ABUSE AND NEGLECT**
Excusable neglect
- appeals
  - notice of, extension of time for filing, Title 25, chapter 21, M.R.App.P., Rule 5
  - record on, extension of time for transmittal, Title 25, chapter 21, M.R.App.P., Rule 10
- conservation district boards of adjustment, failure to urge contention in variance proceedings, 76-15-727
- counterclaim, omission, Title 25, chapter 20, M.R.Civ.P., Rule 13(f)

NEGLECT (Continued)
Excusable neglect (Continued)

- extension of time as result of, Title 25, chapter 20, M.R.Civ.P., Rule 6(b); Title 25, chapter 21, M.R.App.P., Rule 5; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 6B
- judgment, relief from
  - extension of time, Title 25, chapter 20, M.R.Civ.P., Rule 6(b)
  - ground for, Title 25, chapter 20, M.R.Civ.P., Rule 60(b); Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 22A
  - stay of execution pending appeal, Title 25, chapter 21, M.R.App.P., Rule 7
- objections, failure to raise, 2-18-1003, 2-18-1013, 39-31-109
- water rights, adjudication — objections to decrees allowed when, 85-2-233, 85-2-237

Execution, secured party's failure to file affidavit, 25-13-506
Fences, partition — failure to build or maintain, 70-16-208, 70-16-209
Ferrykeepers, noncompliance with regulations, 7-14-2826
Fire hazards
- forests
  - reduce or manage, failure to, 76-13-410
  - reduction or management, failure of purchaser of forest products to submit withheld money and fees and reports, 76-13-413
- orders concerning, noncompliance, 50-62-111

Fire safety and protection provisions, noncompliance, 50-61-119
Forests, fire hazards, See **Fire hazards**
Foster care, permanent placement of children in — when, 41-3-410
Fraternal benefit societies, noncompliance with provisions, 33-7-125
Guardian ad litem, appointment — minor's failure to make application, 25-5-301
Health officers, written orders by — noncompliance, 50-2-123
Health service corporations, liability, 33-30-304
Highway patrol officers, state property lost or destroyed by, 44-1-303
Hospitals, lien rights for services rendered to persons injured by neglect of another, Title 71, chapter 3, part 11
Husband and wife, defense when parties to actions, 25-5-202
Indemnity actions, lack of defense — effect, 28-11-316
Inheritance tax, failure to pay, 72-16-443
Insurers, claim settlement practices, 33-18-201
Labor situations, See **LABOR AND EMPLOYMENT**, **Neglect**
Landlord and tenant
- commercial property, lessor's failure to make repairs, 70-26-203
- security deposit, cleaning charges deductible when, 70-25-201

Leases, actions for default — termination, 30-2A-506
Livestock
- testing, animals killed or injured during, 81-2-201
- trespassing livestock, loss or injury during retention, 81-4-217

Mandamus, writ of — disobedience, 27-26-206
Military officers, failure to take oath, 10-1-202
Mine leases, failure to execute release, 82-1-202
Mortgages, failure to execute and deliver certificate of discharge, 71-1-212
Motor carriers, failure to obey orders, 69-12-209
Motor vehicles
- drivers' licenses
  - failure to surrender upon demand, 61-5-206
  - reexamination or investigation for, failure to submit to, 61-5-207
- financial responsibility, failure to furnish proof, 61-6-112
- warranty provisions, nonconformity as result of neglect, 61-4-501, 61-4-506

Nonsupport of spouse, 40-2-103
Nuisances, successive owners' failure to abate, 27-30-105
Nurses, lien rights for services rendered to persons injured by neglect of another, Title 71, chapter 3, part 11

NEGLECT (Continued)

Occupational therapists, lien rights for services rendered to persons injured by neglect of another, Title 71, chapter 3, part 11
Official bonds, See **SURETY BONDS**
Oil and gas leases, failure to execute release, 82-1-202
Optometrists, revocation of certificate of registration, 37-10-307
Pesticide licensees, license or permit revocation, 80-8-211
Physical therapists, lien rights for services rendered to persons injured by neglect of another, Title 71, chapter 3, part 11
Physicians, lien rights for services rendered to persons injured by neglect of another, Title 71, chapter 3, part 11
Professional counselors, lien rights for services rendered to persons injured by neglect of another, Title 71, chapter 3, part 11
Psychologists, lien rights for services rendered to persons injured by neglect of another, Title 71, chapter 3, part 11
Public markets, failure to pay gross proceeds charge, 7-21-3308
Quo warranto proceedings, failure to turn over books and papers, 27-28-307, 27-28-506
Railroads, See **RAILROADS**
Real Estate Appraisers, Board of — removal of members, 2-15-1868
Rural special improvement districts, bidders' failure to enter contract, 7-12-2137
Sales
- breach of contract, termination of action for neglect to prosecute, 30-2-725
- factor, neglect of duty by, 27-16-102

School age children, neglect of assistance to attend school, 20-5-107
Senior citizens, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Sewage system charges and rates, failure of entity to adopt system, 75-5-514
Sidewalks, curbs, and gutters — property owners' failure to construct, 7-14-4109
Social workers, lien rights for services rendered to persons injured by neglect of another, Title 71, chapter 3, part 11
Special improvement districts, bidders' failure to enter contract, 7-12-4145, 7-12-4149
Spousal privilege suspended, 46-16-212
Spouses
- defense when parties to actions, 25-5-202
- support, failure to, 40-2-103

State debt collection claims, filing, 17-4-105
State land sales, failure of bidder to make initial payment, 77-2-323
Surety bonds, See **SURETY BONDS**
Surety, failure of creditor to pursue remedy, 28-11-416
Taxation
- city officers, failure to furnish information, 15-1-301
- county assessors, neglect of duty, 15-1-202
- gasoline, special fuels
  - dealers or users
    - refund, failure to file request for, 15-70-329
    - returns, failure to make, 15-70-332, 15-70-335
  - users' temporary permits, failure to carry, 15-70-311
- information required by department of revenue, failure to furnish, 15-1-301, 15-1-303
- payments, failure to make
  - corporation license or income tax, 15-31-510
  - income tax, individual, 15-30-321
  - 9-1-1 emergency telephone exchange access service fee, 10-4-211
  - nursing facility utilization fees, 15-60-204
  - oil and gas severance taxes, 15-36-105
  - resource indemnity trust and ground water assessment tax, 15-38-107
  - telephone company license tax, 15-53-112
- personal property, failure to seize to secure payment, 15-16-113

NEGLECT (Continued)
Taxation (Continued)
- poor fund taxes, failure to pay, 15-16-117
- public officers, neglect of duty, 15-1-202
- returns, failure to file
  - coal severance tax, 15-35-107
  - corporation license or income tax, 15-31-543
  - gasoline license tax, 15-70-212
  - income tax, individual, 15-30-321
  - tramway assessments, 23-2-716
- road taxes, failure to pay, 15-16-117
- statements or reports, failure to file
  - cement and gypsum producers, 15-59-106, 15-59-110
  - cement dealers, 15-59-205, 15-59-210
  - coal severance tax, 15-35-105, 15-35-107, 15-35-121
  - electric energy producers, 15-51-111
  - gasoline distributors, 15-70-210, 15-70-232
  - mines, metal, 15-37-106, 15-37-109
  - mines, micaceous mineral, 15-37-205
  - oil and gas severance taxes, 15-36-106
  - resource indemnity trust and ground water assessment tax, 15-38-107
  - special fuel distributors, 15-70-352, 15-70-355, 15-70-366
  - telephone company license tax, 15-53-111, 15-53-112
- tax deeds, purchaser or assignee — failure to give or file proof of notice, 15-18-212
- witnesses in investigations, 15-1-302, 15-2-201

Trusts
- agent's redress of wrongs, trustee's failure to compel, 72-34-502
- cotrustee's breach of trust, trustee's failure to compel, 72-34-503
- predecessor trustee's nondelivery of trust property, failure of successor trustee to compel, 72-34-504
- successor trustee's failure to redress breach of trust by predecessor, 72-34-504

Unlawful detainer, 70-27-108, 70-27-205
Utilities, neglect of laws or orders, 69-3-110, 69-3-209
Utilities, rural cooperative — fee to department of revenue, failure to pay, 35-18-505
Vital statistics records, disclosure, 50-15-114
Water provisions, noncompliance, 85-2-122, 85-2-520
Weeds, nuisance — failure to remove or exterminate, 7-22-4101
Workers' compensation
- accident reports — failure of employer, insurer, or adjuster to file, 39-71-307
- employee payroll reports, failure of insured to file, 39-71-308

Wrongful death, See **WRONGFUL DEATH**

NEGLIGENCE
See also generally **DAMAGES**; **REMEDIES**; **TORTS**
Accountants, 37-50-321, 37-50-401
Agent, of, 27-1-703, 28-10-602
AIDS testing and counseling provisions, 50-16-1013
Alcoholic beverages, agency store agents, 16-2-101
Animals, cruelty to, 27-1-222, 27-1-301, 45-8-211
Apportionment, 27-1-703
Architects, 37-65-321
Bailment, 70-6-103, 70-6-203, 70-6-204, 70-6-405, 70-6-501
Bank officers, directors, or employees, 32-1-464, 32-1-468
Blood and blood products, services related to, 50-33-103
Blood banks, 50-33-104
Boats and boating
- liability of owner, 23-2-505

NEGLIGENCE (Continued)
Boats and boating (Continued)

operation of boat, 23-2-523, 23-2-525
Boiler or steam engineers, 50-74-314
Building and loan association directors, officers, or employees, 32-2-107, 32-2-304
Care, duty of, 26-1-602, 27-1-701, 28-1-201, See also **PROPERTY, Care; TORTS, Care**
Carriers, 69-11-105, 69-11-421, 70-9-405
Chiropractors, Title 27, chapter 12
Civil defense personnel, 10-3-111
Commission merchants, 30-11-403
Comparative negligence, 27-1-701 — 27-1-703
  affirmative defenses, 27-1-719; Title 25, chapter 20, M.R.Civ.P., Rule 8(c)
  blind pedestrians, failure to carry cane or use guide dog — effect, 49-4-216
  mining company employees, 39-2-704
  products liability actions, affirmative defenses, 27-1-719
  railroad employees, effect, 39-2-703, 69-14-1006
  snowmobile area operators, effect on, 23-2-656
Complaint, forms, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 8; Form 9; Form 13
Concealed weapons, permits to carry — actions arising from, 45-8-326
Construction blasters, in practice of blasting, 37-72-203
Consumer reports, in preparation and disclosure, 31-3-141, 31-3-143
Contract to exempt unlawful, 28-2-702
Contributory negligence, 27-1-701, 27-1-702, 27-1-719; Title 25, chapter 20, M.R.Civ.P., Rule 8(c), See **Comparative negligence**
County clerk and recorder, 7-4-2623
County officers, 7-4-2113, 7-4-2517
County weed management districts, 7-22-2111
Credit reports, in preparation and disclosure, 31-3-141, 31-3-143
Crematoriums and crematory operators, limitation on liability, 37-19-707
Criminal, See **CRIMES**
Dam or reservoir owners, 85-15-305
Defined, 1-1-204
Dentists, 41-1-407
Denturists, revocation or suspension of license, 37-29-311
Depositary, by, 70-6-204
Disaster and emergency services personnel, 10-3-111
Documents of title, 30-7-204, 30-7-309
Domestic abuse, 45-5-206
Drug offenses, community service as sentencing alternative — supervisory personnel, 45-9-204
Duty of care, 26-1-602, 27-1-701, 28-1-201, See also **PROPERTY, Care; TORTS, Care**
Electricians, suspension or revocation of license, 37-68-321
Emergency medical care, 27-1-714, 27-1-734, 37-27-311, 41-1-405, 50-6-317
Eminent domain, surveys for — damage to property, 70-30-110
Employment situations, See **LABOR AND EMPLOYMENT, Negligence**
Engineers, 37-67-331, 50-74-314
Equine activities, liability, 27-1-725 — 27-1-728
Evidence
  insurance agreement, Title 26, chapter 10, M.R.Ev., Rule 411
  personal representative, inference, 72-3-916
  subsequent remedial measures, Title 26, chapter 10, M.R.Ev., Rule 407
  voluntary payment of claims, Title 26, chapter 1, part 7
Exculpatory contracts unlawful, 28-2-702
  employer liability, 39-2-705
  mining company fellow servant liability, 39-2-704
  railway corporation fellow servant liability, 39-2-703
Farm mutual insurers, directors or officers, 33-4-413

NEGLIGENCE (Continued)

Fire
  railroads, control of hazards along right-of-way, 69-14-721
  reports, delays in receiving or transmitting, 7-33-4114
Food, donated — liability when unfit for human consumption, 27-1-716
Forest fires
  burning permits, noncompliance, 76-13-122
  campfires, failure to extinguish, 76-13-123
  landowner negligence, 76-13-201
Frozen food lockers, liability of owner for loss of food, 50-50-403
Funeral processions, 61-8-384
Good Samaritan Law, 27-1-714, 41-1-405
Grain inspectors, samplers, or weighers, 80-4-703
Ground water provisions, noncompliance, 85-2-520
Guardian of minor, liability, 72-5-231
Hazardous or deleterious substance, release — remedial action contractor, 75-10-718
Health care facility services, 27-1-734, 37-27-311, 41-1-407, 50-33-103
Health care information violations caused by, damages, 50-16-553
Hearing aid dispensers, revocation or suspension of license, 37-16-411
Highway patrol officers, cause for disciplinary action, 44-1-612
HIV-related testing and counseling provisions, 50-16-1013
Hotel and motel owners, loss or damage to guests' property, 70-6-501 — 70-6-503, 70-6-505
Hunting, failure to tag carcasses of game animals or birds, 87-2-509, 87-3-405
Immunity from liability, See **GOVERNMENT**
Inheritance tax, effect, 72-16-458, 72-16-609
Insurance agreement, admissibility, Title 26, chapter 10, M.R.Ev., Rule 411
Insurance information, disclosure or furnishing, 33-19-408
Irrigation ditch owners or operators, nonliabilities for drownings when, 85-7-2212
Joinder of parties, 27-1-703
Joint and several liability, 27-1-703, 61-5-108
Joint liability, 27-1-703
Labor situations, See **LABOR AND EMPLOYMENT**, **Negligence**
Landlord and tenant
  rental agreements, prohibited provisions in, 70-24-202
  security deposit, cleaning charges deductible when, 70-25-201
Land surveyors, 37-67-331
Liability, 27-1-701, 27-1-703
  blood banks, 50-33-104
  carriers, 69-11-105, 69-11-421
  comparative negligence, See **Comparative negligence**
  crematory operators, limitation, 37-19-701
  depositary, of, 70-6-204
  determination, 27-1-703
  ditch company employees, 27-1-731
  employee, 39-2-702
  employer, 27-1-703, 39-2-705
  exemption by contract unlawful, 28-2-702
  fellow employee, 27-1-703, 39-71-413, 39-72-402
  guardian of minor, 72-5-231
  health care providers, 27-1-734, 37-27-311, 50-6-317
  health care facilities, 27-1-734, 37-27-311, 50-33-103
  hotel and motel owners, 70-6-501 — 70-6-503, 70-6-505
  joint, 27-1-703
  joint and several, 27-1-703, 61-5-108
  licensees, to, 45-6-201
  long-term care facilities, 50-33-103

NEGLIGENCE (Continued)
Liability (Continued)

- motor vehicle owners, for employee drivers, 61-6-201
- obstetrical services provided to patients of direct-entry midwives, 27-1-734, 37-27-311
- payment of claim, effect, 26-1-703
- professional corporations, 35-4-403, 35-4-404
- railroads, control of fire hazards along right-of-way, 69-14-721
- recreationists, to, 70-16-301, 70-16-302
- several, 27-1-703
- telephone company, local exchange — emergency communications systems provided by, 27-1-735
- third parties, acts of, 1-3-234
- tissue banks, 50-33-104
- trespassers, to, 45-6-201
- utilities, underground facilities — damages to, 69-4-505, 69-4-506

Limited liability companies
- members and managers, 35-8-402
- professional limited liability company employees, 35-8-1306

Livestock
- motor vehicles, collision with animals grazing on highway, 60-7-203
- railroads, liability for destruction, 69-14-701, 69-14-707, 69-14-711
- testing, animals killed or injured during, 81-2-201
- trespassing livestock, loss or injury during retention, 81-4-217

Loan of property for use, damage or injury to thing loaned, 70-7-107
Long-term care facilities, services related to blood and blood products, 50-33-103
Malpractice, Title 27, chapters 6 and 12
Mandamus, writ of — disobedience, 27-26-206
Medical record information violations caused by, damages, 50-16-553
Mental health care facility services, 41-1-407
Midwives, direct-entry, 37-27-213
Mining company, fellow servant liability, 39-2-704
Minors, health care for, 41-1-405 — 41-1-407
Motor carriers, operation, 69-12-402
Motor vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Negotiable instruments, contributing to forged signature or alteration, 30-3-406
Notaries public, 1-5-406
Nurseries, penalty, 80-7-135
Nurses
- emergency services, 50-6-317
- license denial, revocation, or suspension, 37-8-441

Obligations, effect on forfeiture provisions, 28-1-104
Obstetrical services provided to patients of direct-entry midwives, 27-1-734, 37-27-311
Outfitters or guides
- effect of licensing, 37-47-303
- participants, by, 37-47-403
- revocation or suspension of license, 37-47-341

Parties, 27-1-703
Partnerships, conduct of partners, 35-10-405
Payment of claim, effect, 26-1-703
Personal representative
- claims, negligence in making payment, 72-3-808
- distribution to trustee, negligence not inferred, 72-3-916
- inheritance tax, delay in payment caused by — effect, 72-16-609

Physical therapists — denial, revocation, or suspension of license, 37-11-321
Physicians and surgeons, See **MALPRACTICE, MEDICAL; PHYSICIANS AND SURGEONS**
Plumbers, 37-69-320

NEGLIGENCE (Continued)

Podiatrists, 37-6-310
Product safety, See **CONSUMER PROTECTION, Product safety; HAZARDOUS SUBSTANCES**, generally
Professional corporations, liability, 35-4-403, 35-4-404
Property managers, unfit or incompetent by reason of, 37-51-606
Psychiatrists, 41-1-407
Psychologists, 41-1-407
Public Employees' Retirement System, member — death caused by, effect, 19-2-906
Radiologic technologists or limited permit technicians, suspension or revocation of license or permit, 37-14-321
Railroads, See **RAILROADS**
Recreationists, liability to, 70-16-301, 70-16-302
Religious corporations sole, directors or officers, 35-3-205
Remedial measures, subsequent — admissibility, Title 26, chapter 10, M.R.Ev., Rule 407
Renewable resource emergency grant or loan projects, limitation, 85-1-605
Reservoir owners, 85-15-305
Respiratory care practitioners, 37-28-210
Sanitarians — suspension, denial, or revocation of license, 37-40-311
Several liability, 27-1-703
Smoke detectors, dwellings — noncompliance with notice requirement upon sale of dwelling, 70-20-113
Snowmobile area operators, 23-2-653, 23-2-656
Social workers — suspension, revocation, or refusal of license for, 37-22-311
Strip and underground mining permittees, 82-4-221
Subdivision landowners or subdividers, 76-4-1115
Surety bonds, See **SURETY BONDS**
Tagging of carcasses of game animals or birds, failure to tag, 87-2-509, 87-3-405
Tax
    assessment statements, failure to transmit to department of revenue, 15-8-706
    individual income, payment deficiency, 15-30-323
    inheritance, effect, 72-16-458, 72-16-609
Tissue banks, 50-33-104
Trespassers, liability to, 45-6-201
Trusts
    cotrustee, trustee enabling, 72-34-503
    trustee, intentional, 72-34-512
Underground storage tank installers, 75-11-223
Utilities
    national electrical safety code, proof of compliance — effect, 69-4-201
    underground facilities, damages to, 69-4-505, 69-4-506
Vital statistics records, disclosure, 50-15-114
Voluntary payment of claim, Title 26, chapter 1, part 7
Water treatment plant operators, 37-42-308
Water well contractors, drillers, and monitoring well constructors, 37-43-307
Weed management districts, 7-22-2111
Workers' compensation, negligence of
    fellow employee, 39-71-413, 39-72-402
    self-insurers liability, persons contributing to underestimation, 39-71-2616
    third party, 39-71-412, 39-72-402
    uninsured employer's employee, 39-71-509
Wrongful death, See **WRONGFUL DEATH**
Yellowstone River Compact, noncompliance, 85-20-113
Zoning boards of adjustment, 76-2-228, 76-2-328

NEGOTIABLE INSTRUMENTS
  See also **UNIFORM COMMERCIAL CODE, GENERAL PROVISIONS**
Acceleration, 30-1-208, 30-3-105, 30-3-109, 30-3-122, 30-3-304
Acceptance, 30-3-102, 30-3-410, See also **Presentment**
  actions for enforcement, statute of limitations, 30-3-122
  bank, 30-3-410, 30-3-414, 30-3-423, 32-1-437
  cancellation, 30-3-412
  certified check, 30-3-410
  date, 30-3-410
  delivery on, 30-2-514
  dishonor, See **Dishonor of instrument**
  effective when, 30-3-410
  late, consent, 30-3-512
  liability, drawee, 30-3-409
  mistake, by, 30-3-425
  nonacceptance, 30-3-508, 30-3-510
  notice of dishonor, See **Notice of dishonor**
  ordinary care, 30-3-425
  payable at a definite time, 30-3-109, 30-3-122
  payment of draft, 30-3-422
  presentment, 30-3-424, 30-3-504, 30-3-512, 30-3-513
  refusal, 30-3-412, 30-3-504, 30-3-510
  reservation of rights, 30-1-207
  revocation, 30-3-425
  unaccepted, 30-3-424, 30-3-512
  variance of draft, 30-3-412, 30-3-422
  warranties, 30-3-417, 30-3-424
  written on draft, 30-3-410
Acceptor, 30-3-102
  accommodation party, 30-3-415
  actions against, statute of limitations, 30-3-122
  breach of warranty, recovery, 30-3-424
  conversion, action for, 30-3-419
  death, excused presentment, 30-3-513
  dishonor of instrument, 30-3-414, 30-3-423
  extension of payment, 30-3-109
  failure to date acceptance, 30-3-410
  insolvency, excused presentment, 30-3-513
  liability, 30-3-130, 30-3-310
  obligated bank, 30-3-421
  obligation, 30-3-422, 30-3-424
  presentment to, 30-3-504
  repudiation, excused presentment, 30-3-513
  warranties on transfer, 30-3-417
Accommodated party, 30-3-102, 30-3-415
Accommodation party, 30-3-102, 30-3-415
  discharge, 30-3-604, 30-3-607
  enforcement of obligation to pay, 30-3-305, 30-3-415
  liability, 30-3-415
  obligation, 30-3-415, 30-3-604, 30-3-607
  presumption, 30-3-415
  reimbursement, 30-3-415
Accommodation, signed for, 30-3-415, 30-3-607
Accord and satisfaction, 30-3-311

NEGOTIABLE INSTRUMENTS (Continued)

Account, 30-3-126, 30-3-205
Acknowledgment, 30-3-102, 30-3-104
Actions, 30-1-201, See also **Enforcement**
  accommodation party, to enforce obligation to pay, 30-3-305
  barred when, 30-3-122
  breach
    obligation, 30-3-131
    warranty, accrual, 30-3-417, 30-3-424
  conversion of instrument, 30-3-419
  enforcement of rights and obligations by, 30-1-106, 30-3-122, 30-3-205, 30-3-305, 30-3-307
  notice of right to defend, 30-3-131
  pleadings, validity of signatures, 30-3-307
  recoupment, claim in, 30-3-305
  renunciation of right, 30-3-605
  signatures, proof, 30-3-307
  statute of limitations, 27-2-213, 30-3-122
  waiver of claim or right, 30-1-107
Agent, 30-1-201
  accord and satisfaction, 30-3-311
  collection by, 28-10-303
  confession of judgment, acceptance or entry by as illegal term, 28-2-709
  conversion of instrument, 30-3-419
  default judgment, acceptance or entry by as illegal term, 28-2-709
  fiduciary, 30-3-308, See **Fiduciary**
  payable to, 30-3-126
  restrictive endorsement, 30-3-205
  service of process, acceptance as illegal term, 28-2-709
  signature by, 30-3-401
Agreement
  affecting instrument, 30-3-119
  contribution, party's entitlement, 30-3-130
  discharge, for, 30-3-601, 30-3-607
  drawee, to pay draft, 30-3-410
  presentment, manner of, 30-3-504
  separate, 30-1-201, 30-3-119, 30-3-607
  subordinated obligation, 30-1-209
  tax payments, 15-1-421
Agricultural loan authority program bonds, 80-12-304
Agricultural marketing associations, as payment for stock, 35-17-302
Alteration, 30-3-102, 30-3-407, 30-4-104, See also **Forgery**; **Fraud**
  acceptance, supplying date in good faith, 30-3-410
  amount of instrument, 30-3-422
  breach of warranty, claim for, 30-3-424
  discharge of party, 30-3-407
  holder in due course, acquisition of instrument, 30-3-302
  incomplete instruments, 30-3-115, 30-3-407
  negligence contributing to, 30-3-406
  notice, 30-3-302
  warranty, 30-3-417, 30-3-424
Ambiguity, multiple payees, 30-3-126
Antedating, 30-3-114
Applicability of laws, 30-3-102, 30-3-124
  bank deposits and collections law, 30-4-102, 30-4-203
  conflict of laws, 30-1-105, 30-3-124
  contracts, nonnegotiable, 28-2-206

NEGOTIABLE INSTRUMENTS (Continued)
Applicability of laws (Continued)

- health facility authority bonds, 90-7-302
- housing revenue bonds, 90-6-117
- industrial development project revenue bonds, 90-5-103
- investment securities excluded, 30-8-102, 30-8-105
- issuance of bad checks or stopping payment, 27-1-717
- mistake and restitution, 30-3-425
- property, personal — conversion, 30-3-419
- secured transactions law, 30-3-124, 30-9-102

Assignment, 28-2-206, 30-3-210, 30-3-409, 30-3-423
Authentication, 30-3-401; Title 26, chapter 10, M.R.Ev., Rule 902
Authenticity, 30-3-302, 30-3-307
Authorization to pay not order when, 30-3-102
Bankruptcy, status of holder when instrument acquired in, 30-3-302
Banks, 30-1-201, 30-3-102, 30-4-105, See also specific bank in this subject heading

- acceptance by, 30-3-410, 30-3-414, 30-3-423, 32-1-437
- acceptor, liability as — when, 30-3-310
- banking day, 30-3-102, 30-4-104
- branch of bank defined, 30-1-111, 30-1-201, 30-4-106
- cashier's check, refusal to pay, 30-3-421
- certificate of deposit, 30-3-104
- certified check, 30-3-410, 30-3-421
- collecting bank, 30-3-102, 30-3-508, 30-3-510, 30-4-105
- collections, chapter subject to law on, 30-3-124, 30-4-102, See **BANK DEPOSITS AND COLLECTIONS**
- depositary bank, 30-3-102, 30-3-205, 30-3-405, 30-3-414, 30-3-420, 30-3-423, 30-4-105
- deposits, chapter subject to law on, 30-3-124, 30-4-102, See **BANK DEPOSITS AND COLLECTIONS**
- dishonor, 30-3-510, 30-3-512
- federal reserve system regulations, 30-3-124
- intermediary bank, 30-3-102, 30-3-205, 30-4-105
- maker, liability as — when, 30-3-310
- notaries public, authority, 1-5-417
- notice of dishonor, 30-3-508
- obligation, effect of instrument taken for, 30-3-310
- ordinary care, 30-3-102
- payor bank, 30-3-102, 30-3-205, 30-3-510, 30-3-512, 30-4-105
- presentment, 30-3-504, 30-3-512
- restrictive endorsement, 30-3-205
- teller's check, stop payment or refusal to pay, 30-3-421
- variance of draft, acceptance, 30-3-412

Bearer, 30-1-201, 30-3-102, 30-3-104, 30-3-111, 30-3-202, 30-3-204, 30-3-208
Bill of exchange, See **Draft**
Bills of lading, See **DOCUMENTS OF TITLE**
Breach, duty — negotiation through, effectiveness, 30-3-209

- fiduciary duty, 30-3-205, 30-3-308
- obligation, 30-3-131
- warranty, 30-3-122, 30-3-417, 30-3-424

Bulk transfer, status of holder when instrument acquired in, 30-3-302
Burden of proof, See **Evidence**
Cancellation, 30-3-208, 30-3-412, 30-3-605
Carriers, loss of valuable letters or cargo, 69-11-304, 69-11-429
Cash, payable to, 30-3-111
Certificate of deposit, 30-3-102, 30-3-104

- actions to enforce, statute of limitations, 30-3-122

NEGOTIABLE INSTRUMENTS (Continued)
Certificate of deposit (Continued)

- agricultural commodity warehouse operators or dealers, as condition for licensing when, 80-4-502, 80-4-601
- bail, as, 46-9-108, 46-9-401
- oil and gas noncommercial wells, as surety, 82-11-163
- workers' compensation, security for employer, 39-71-2106

Certificate of dishonor, 30-3-510
Check, 30-3-102, 30-3-104

- actions to enforce, statute of limitations, 30-3-122
- assignment of funds, 30-3-409
- bad check, issuing, 27-1-717, 32-5-407, 45-6-316, 80-4-607, 81-8-235, See also **CRIMES, Checks**
- bank, refusal to pay, 30-3-421
- cashier's, 30-3-102, 30-3-104, 30-3-122, 30-3-310, 30-3-421, 30-3-603, 30-4-104
- certification, 30-3-310, 30-3-422
- certified, 30-3-102, 30-3-122, 30-3-310, 30-3-410, 30-3-421, 30-3-603, 30-4-104
- dishonored, 27-1-717, 30-2-403, 30-2-511, 30-2A-304, 30-2A-305, 30-3-310, 30-3-421, 30-3-512, See also **Dishonor of instrument**
- drawer, rights of — assignment when, 30-3-423
- endorser, liability, 30-3-414
- money order, 30-3-104
- obligation for which taken, effect on, 30-3-310
- order as negotiable instrument and check when, 30-3-104
- overdue, 30-3-304
- payment by, 30-2-401, 30-2-511, 30-2-514
- refusal to pay, 30-3-421
- representative, signature by — liability, 30-3-403
- stale, 30-3-304
- stop payment, 27-1-717, 30-3-421
- teller's, 30-3-102, 30-3-104, 30-3-122, 30-3-310, 30-3-421, 30-3-603, 30-4-104
- traveler's, 30-3-102, 30-3-104, 30-3-122
- unaccepted, liability, 30-3-409
- uncertified, obligation for which taken — effect on, 30-3-310
- warranties, 30-3-417, 30-3-424
- without recourse, disclaimer not effective, 30-3-423

Check-writing machines, signatures by, 30-3-126, 30-3-405
Citation of Uniform Commercial Code, 30-1-101, 30-3-101
Claims

- accord and satisfaction, 30-3-310
- breach of warranty, 30-3-417, 30-3-424
- checks, bank's refusal to pay, 30-3-421
- discharge, 30-3-311
- holder in due course, rights, 30-3-305, 30-9-206
- holder, rights, 30-3-105
- indemnity or contribution, for — actions for conversion, statute of limitations, 30-3-122
- instrument, to, 30-3-305, 30-3-306, 30-3-308, 30-3-603
- notice, 30-3-302
- property or possessory right, 30-3-306
- recoupment, in, 30-3-302, 30-3-305, 30-3-307, 30-3-417
- recovery of instrument or proceeds, 30-3-306
- represented person, 30-3-308
- rescission of negotiation, 30-3-306
- secured transactions, 30-9-206
- transferee, rights, 30-3-105
- waiver, 30-1-107

Clearinghouse, 30-3-102, 30-3-504, 30-4-104

NEGOTIABLE INSTRUMENTS (Continued)

Coal severance tax bonds, 17-5-714
Collateral, 30-3-104, 30-3-105, 30-3-607
Collecting bank, 30-3-102, 30-3-508, 30-3-510, 30-4-105
Collection
  accord and satisfaction, 30-3-311
  agent's responsibility, 28-10-303
  check, endorsement — endorser's liability, 30-3-414
  guarantee, accommodation party, 30-3-415
  taking for, 30-3-205, 30-3-203, 30-3-308, 30-3-405, 30-3-419, 30-3-420
Complaint on promissory note
  form, Title 25, chapter 20, M.R.Civ.P., Appendix, Form 2; Form 12
  signatures, admission of genuineness, 25-31-512, 30-3-307
Condition
  endorsement, 15-1-421, 30-3-205
  issuance, conditional or for special purpose, 30-3-125
  restrictive endorsement, 30-3-205
  unconditional promise or order, 30-3-104, 30-3-105
Confession of judgment, 28-2-709, 30-3-104
Conflict of law, 30-1-105, 30-3-124
Consent, 30-3-512, 30-3-607
Consideration, 30-3-102, 30-3-303
  accommodation party, for accommodation, 30-3-415
  discharge with or without, 30-3-605
  issuance of instrument, 30-3-303
  modification of obligation, 30-3-607
  presumption, 26-1-602
  promise of performance, 30-3-302
  transfer of instrument, warranties, 30-3-417
Construction of provisions, 30-3-102; Title 30, chapter 3, part 1
Consul, protest, 30-3-510
Contracts, nonnegotiable written — transfer by endorsement, 28-2-206
Contradictory terms, 30-3-129
Contribution, 30-3-130, 30-3-122, 30-3-415, 30-3-607
Conversion of instrument, 30-3-122, 30-3-204, 30-3-205, 30-3-419, 30-4-203
Corporations
  fiduciary, 30-3-308, See **Fiduciary**
  negotiation when exceeding powers, effectiveness, 30-3-209
  notaries public, authority, 1-5-417
  notes, 35-1-115, 35-1-623, 35-1-1111
  represented person, 30-3-308, See **Represented person**
Countersignature, 30-3-104, 30-3-105
Creditor's sale, status of holder when instrument acquired in, 30-3-302
Damages, 27-1-717, 30-3-417, 30-3-421, 30-3-424
Date, 30-3-114, 30-3-128, 30-3-304, 30-3-410, 30-3-607
Death
  maker or acceptor, excused presentment, 30-3-513
  signer, validity of signature, 30-3-307
Default, 28-2-709, 30-3-302, 30-3-304
Defenses
  accommodation party, of, 30-3-305
  breach of warranty, 30-3-424
  checks, bank's refusal to pay, 30-3-421
  collateral, impairment — waiver, 30-3-607
  conditional issuance or issuance for special purpose, failure of condition or purpose, 30-3-125

NEGOTIABLE INSTRUMENTS (Continued)
Defenses (Continued)

- consideration, issuance without, 30-3-303
- contract, nonnegotiable written — rights, 28-2-206
- countersign, failure to, 30-3-105
- discharge in insolvency proceedings, 30-3-305
- duress, 30-3-305
- fraud, 30-3-305
- holder in due course, rights, 30-3-305, 30-9-206
- holder, rights, 30-3-105
- illegality of transaction, 30-3-305
- incapacity, 30-3-305
- infancy, 30-3-305
- nonissuance, 30-3-125
- notice, 30-3-302
- obligation, separate agreement, 30-3-119
- obligor, of, 30-3-305
- performance, promise of — nonperformance, 30-3-303
- restrictive endorsement, payment in violation or not permitted, 30-3-205
- secured transactions, 30-9-206
- signatures, validity admitted, 30-3-307
- suretyship, waiver, 30-3-607
- transferee, rights, 30-3-105
- warranties on transfer, 30-3-417

Definite time, payable at, 30-3-102, 30-3-104, 30-3-109, 30-3-122, 30-3-304
Definitions, 30-1-102, 30-1-201, 30-3-102, 30-3-104, 30-4-104, 30-4-105

- acceptance, 30-3-102, 30-3-410
- accommodated party, 30-3-102, 30-3-415
- accommodation party, 30-3-102, 30-3-415
- alteration, 30-3-102, 30-3-407
- anomalous endorsement, 30-3-102, 30-3-204
- authorized signature of the represented person, 30-3-403
- banking day, 30-3-102, 30-4-104
- blank endorsement, 30-3-102, 30-3-204
- certified check, 30-3-102, 30-3-410
- code, 30-1-101
- consideration, 30-3-102, 30-3-303
- customer, 30-3-102, 30-4-104
- employee, 30-3-420
- endorsement, 30-3-102, 30-3-203
- endorser, 30-3-102, 30-3-203, 30-3-607
- fiduciary, 30-3-102, 30-3-308
- for accommodation, 30-3-415
- fraudulent endorsement, 30-3-420
- holder in due course, 30-3-102, 30-3-302
- incomplete instrument, 30-3-115
- issue, 30-3-102, 30-3-125
- issuer, 30-3-102, 30-3-125
- negotiation, 30-3-202
- obligated bank, 30-3-421
- payable at a definite time, 30-3-102, 30-3-109
- payable on demand, 30-3-102, 30-3-108
- payable to bearer, 30-3-102, 30-3-111
- payable to order, 30-3-102, 30-3-111
- person entitled to enforce, 30-3-102, 30-3-301
- presentment, 30-3-102, 30-3-504
- represented person, 30-3-102, 30-3-308

NEGOTIABLE INSTRUMENTS (Continued)
Definitions (Continued)

  responsibility, 30-3-420
  special endorsement, 30-3-102, 30-3-204
Delivery, 30-1-201
  acceptance, 30-2-514, 30-3-410
  conversion of instrument, 30-3-419
  issue of instrument, as, 30-3-125
  transfer of instrument, 30-3-210
Demand, payable on, 30-3-102, 30-3-104, 30-3-108, 30-3-109, 30-3-114, 30-3-122, 30-3-304, 30-3-512, See also **Presentment**
Depositary bank, 30-3-102, 30-4-105
  conversion of instrument, 30-3-205
  drawer, rights of — assignment when, 30-3-423
  endorsement, 30-3-405, 30-3-420
  liability of endorser, discharge when, 30-3-414
Destroyed instrument, enforcement, 30-3-301, 30-3-309, 30-3-310
Destruction of instrument, 30-3-605
Discharge
  accommodation party, 30-3-604, 30-3-607
  cancellation, by, 30-3-605
  claim, of, 30-3-311
  effect, 30-3-601
  endorser, 30-3-208, 30-3-414, 30-3-607
  insolvency proceedings, obligor, 30-3-305
  instrument, multiple payees, 30-3-126
  interest, payment by obligor, 30-3-604
  notice, 30-3-302, 30-3-601
  obligation, 30-3-310, 30-3-412, 30-3-423, 30-3-601, 30-3-603 — 30-3-605, 30-3-607
  party, 30-3-130, 30-3-302, 30-3-305, 30-3-407, 30-3-601, 30-3-603, 30-3-605, 30-3-607
  renunciation, by, 30-3-605
  waiver, 30-3-607
  warrantor, 30-3-417, 30-3-424
Disclaimer
  liability, 30-3-414, 30-3-423
  warranties, 30-3-417, 30-3-424
Dishonor of instrument
  acceptance, 30-3-410, 30-4-210
  accepted draft, 30-3-512
  acceptor, by, 30-3-414, 30-3-423
  action to enforce, statute of limitations, 30-3-122
  agent's responsibility, 28-10-303
  bank's liability, 30-4-401, 30-4-402
  certificate, 30-3-510
  certifying check, drawee's refusal to certify, 30-3-410
  drawer, obligation, 27-1-717
  endorser, obligation, 30-3-414
  evidence, 30-3-510
  late acceptance, consent — effect, 30-3-512
  liability for damages when, 27-1-717
  note, 30-3-512
  notice of, See **Notice of dishonor**
  obligation, suspension, 30-3-310
  presentment, 30-3-424, 30-3-504, 30-3-512
  presumptions, 30-3-510
  protest, 30-3-510
  record of, 30-3-510

NEGOTIABLE INSTRUMENTS (Continued)
Dishonor of instrument (Continued)

- tender, effect, 30-2-503
- time, 30-4-210
- unaccepted, 30-3-512
- variance of draft as, 30-3-412
- wrongful, 30-4-401, 30-4-402

Documentary draft, 30-3-102, 30-3-512, 30-4-104, See also **Dishonor of instrument**
Draft, 30-3-102, 30-3-104
- acceptance, 28-10-303, 30-2-514, 30-3-122, 30-3-410, 30-3-412, 30-3-512
- actions for enforcement, statute of limitations, 30-3-122
- agent's responsibility, 28-10-303
- assignment of funds, 30-3-409
- check, See **Check**
- delivery on acceptance, 30-2-514
- dishonor, See **Dishonor of instrument; Notice of dishonor**
- documentary, 30-3-102, 30-3-512, 30-4-104
- endorser, liability, 30-3-414
- financing agency, rights, 30-2-506
- incomplete, See **Incomplete instrument**
- notice of dishonor, See **Notice of dishonor**
- overdue, acceptance, 30-3-410
- payment, See **Payment**
- presentment, See **Presentment**
- unaccepted
  - action to enforce, statute of limitations, 30-3-122
  - dishonor, 30-3-512, See also **Dishonor of instrument**
  - drawer, obligation, 30-3-423
  - liability, 30-3-409
  - warranties on, 30-3-417, 30-3-424
- unsigned, acceptance, 30-3-410
- variance, 30-3-412, 30-3-422
- warranties, 30-3-424
- without recourse, 30-3-423

Drawee, 30-3-102, 30-4-104
- acceptance, See **Acceptance**
- acceptor, See **Acceptor**
- agreement to pay draft, 30-3-410, See **Acceptance**
- breach of warranty, damages — recovery, 30-3-424
- certifying check, 30-3-410
- conversion of instrument, 30-3-419
- dishonor of instrument, evidence, 30-3-510
- drawer, rights of — assignment when, 30-3-423
- mistake, payment or acceptance by, 30-3-425
- ordinary care, 30-3-425
- place of payment, 30-3-127
- presentment to, 30-3-424, 30-3-504
- unaccepted draft, liability, 30-3-409

Drawer, 30-3-102, 30-4-104
- acceptor, obligation, 30-3-422
- accommodation party, 30-3-415
- consideration, issuance without — defense, 30-3-303
- conversion, action for, 30-3-419
- delivery of instrument, 30-3-125
- discharge of obligation, 30-3-412, 30-3-423
- dishonored draft, presentment warranties, 30-3-424
- employer as, fraudulent endorsement by employee, 30-3-420

NEGOTIABLE INSTRUMENTS (Continued)
Drawer (Continued)

- endorser includes, when, 30-3-607
- impostor, issuance to, 30-3-405
- liability, 27-1-717, 30-3-130, 30-3-423
- obligation, 30-3-423, 30-3-508, 30-3-513, 30-3-607
- performance, promise of — nonperformance, defense, 30-3-303
- signature, 30-3-126, 30-3-403, 30-3-405
- tax payments, endorsement provisions, 15-1-421
- warranties on transfer, 30-3-417

Drug violations, forfeiture of instrument used to facilitate, 44-12-102
Duress, 30-3-209, 30-3-305
Economic development bonds, 17-5-1506, 17-5-1512
Employer responsibility, fraudulent endorsement by employee, 30-3-420
Endorsee, 30-3-205, 30-3-419
Endorsement, 30-3-102, 30-3-203

- accommodation party, 30-3-415
- anomalous, 30-3-102, 30-3-204, 30-3-415
- blank, 30-1-201, 30-3-102, 30-3-111, 30-3-204
- cancellation, 30-3-208, 30-3-605
- conditional, 15-1-421
- contract, nonnegotiable written — applicability of laws, 28-2-206
- conversion, 30-3-204, 30-3-419, 30-4-203
- employee, responsibility, 30-3-420
- fictitious payee, 30-3-405
- forged, 30-3-420
- fraudulent, by employee — employer responsibility, 30-3-420
- holder, by, 30-3-202 — 30-3-204, 30-3-210
- identification of person to whom payable, 30-3-204
- impostor, by, 30-3-405
- incomplete instrument, 30-3-414
- lack of, return of instrument, 30-3-504
- limitation accompanying, 15-1-421
- negotiation, requirement, 30-3-202 — 30-3-204, 30-3-405, 30-3-419
- obligation of endorser, 30-3-414
- presumption of making, 26-1-602
- restrictive, 15-1-421, 30-3-205, 30-4-203
- security interest, transfer by, 30-3-203
- signature as, 30-3-203, See also **Signatures**
- special, 15-1-421, 30-3-102, 30-3-111, 30-3-204, 30-3-405
- striking out, 30-3-605
- tax payments, on, 15-1-421
- transfer by, 28-2-206, 30-3-203, 30-3-417
- unauthorized, claim for breach of warranty, 30-3-424
- unqualified, 30-3-203, 30-3-210
- warranties, 30-3-417
- without recourse, 30-3-414

Endorser, 30-3-102, 30-3-203, 30-3-607

- acceptor, obligation, 30-3-422
- accommodation party, 30-3-415
- anomalous, liability, 30-3-130
- bank, collection by — for, 30-3-205
- cancellation of endorsement, 30-3-208
- discharge, 30-3-208, 30-3-310, 30-3-412, 30-3-414, 30-3-607
- dishonored draft, presentment warranties, 30-3-424
- drawer, obligation, 30-3-423
- liability, 30-3-130, 30-3-203, 30-3-310, 30-3-414

NEGOTIABLE INSTRUMENTS (Continued)
Endorser (Continued)

- note, obligation of maker, 30-3-413
- obligation, 30-3-414, 30-3-423, 30-3-508, 30-3-513, 30-3-604
- proceeds received by, 30-3-205
- restrictive endorsement, 30-3-205

Enforcement, See also **Actions**
- accommodation party, 30-3-305, 30-3-415
- actions, 30-3-122, 30-3-205, 30-3-305, 30-3-307
- altered instrument, 30-3-407
- checks, bank's refusal to pay — rights, 30-3-421
- claim to instrument, 30-3-603
- defenses, See **Defenses**
- destroyed instrument, 30-3-301, 30-3-309, 30-3-310
- dishonored instrument, 30-3-310
- drawer's obligation, 30-3-508, 30-3-513
- endorsee's right, 30-3-205
- endorser's obligation, 30-3-508, 30-3-513
- holder in due course, rights, 30-3-305
- incomplete instruments, 30-3-115, 30-3-407
- lost instrument, 30-3-301, 30-3-309, 30-3-310
- multiple payees, 30-3-126
- notice of dishonor, excused when, 30-3-513
- obligee of obligation, by, 30-3-310
- person entitled to enforce, 30-3-102, 30-3-301, 30-4-104
  - acceptor, obligation, 30-3-422
  - checks, bank's refusal to pay, 30-3-421
  - claims to instrument, 30-3-305
  - collateral, impairment, 30-3-607
  - conversion, liability, 30-3-419
  - defenses of obligor or accommodation party, 30-3-305
  - discharge, 30-3-130, 30-3-605
  - draft, 30-3-104, 30-3-504
  - drawer, 30-3-423
  - due date, extension, 30-3-607
  - endorser, obligation, 30-3-414
  - guarantor, obligation, 30-3-415
  - holder in due course, rights, 30-3-302
  - lost, destroyed, or stolen instrument, 30-3-309, 30-3-310
  - maker, obligation, 30-3-413
  - modification of obligation, 30-3-607
  - note, 30-3-104, 30-3-413
  - obligation, instrument taken for — effect, 30-3-310
  - payment made to, 30-3-603, 30-3-604
  - place of payment, 30-3-127
  - recoupment, claim in, 30-3-305
  - security interest, 30-3-302
  - separate agreement, 30-3-119
  - warrantor, 30-3-417, 30-3-424
- stolen instrument, 30-3-301, 30-3-309, 30-3-310
- transfer of instrument, rights acquired by, 30-3-210

Estates and probate
- acquisition of instrument from, status of holder, 30-3-302
- location of property, 72-3-113
- payable to estate, 30-3-126

Evidence
- alteration, holder in due course, 30-3-302

NEGOTIABLE INSTRUMENTS (Continued)
Evidence (Continued)

- authentication, Title 26, chapter 10, M.R.Ev., Rule 902
- burden of establishing, 30-1-201
- collateral, impairment — burden of proof, 30-3-607
- consideration, 26-1-602
- defenses, burden of proof, 30-3-307
- dishonor, 30-3-510
- endorsement, 26-1-602
- enforcement of lost, destroyed, or stolen instrument, 30-3-309
- forgery, holder in due course, 30-3-302
- holder in due course, rights — burden of proof, 30-3-307
- incomplete instruments, unauthorized completion — burden of establishing, 30-3-115
- notice of dishonor, 30-3-510
- ordinary care, failure to exercise — burden of proof, 30-3-406
- presentment, authority to make, 30-3-504
- presumptions, See **Presumptions**
- "prove" defined, 30-3-102, 30-4-104
- recoupment, claim in — burden of proof, 30-3-307
- signatures, validity, 30-3-307
- third-party documents, 30-1-202

Exchange, transfer or issuance for, 30-3-303
Excused
- notice of dishonor, 30-3-508, 30-3-513
- presentment, 30-3-512, 30-3-513

Execution
- exemption, waiver unenforceable when, 25-13-601
- status of holder when instrument acquired in, 30-3-302

Federal reserve system regulations, 30-3-124
Fictitious payees, 30-3-405
Fiduciary, 30-3-102, 30-3-205, 30-3-308
Filing of document, effect, 30-3-302
Foreign money, payable in, 30-3-107
Forgery, 30-1-201, 30-3-302, 30-3-406, 30-3-420, See also **Alteration**; **Fraud**
Fraud, See also **Alteration**; **Forgery**
- alteration, discharge for, 30-3-407
- defense of obligor, 30-3-305
- endorsement by employee, employer responsibility, 30-3-420
- fictitious payee, 30-3-405
- loss resulting from, recovery, 30-3-420
- negotiation by, effectiveness, 30-3-209
- statute of frauds, accommodation party's obligation — enforcement, 30-3-415
- stop payment of check, 27-1-717
- transfer of instrument, effect on, 30-3-210

Funds transfers, payment orders — chapter inapplicable to, 30-3-124
Good faith, 30-1-201, 30-3-102, 30-4-104
- acceptance, date — supplying, 30-3-410
- conversion, 30-3-419
- holder in due course, 30-3-302
- obligation, 30-1-203
- payment, 30-3-209, 30-3-404 — 30-3-407, 30-3-420, 30-3-425
- remedy for improper negotiation, 30-3-209
- taking instrument, 30-3-302, 30-3-404 — 30-3-407, 30-3-417, 30-3-420, 30-3-425
- tender of instrument in satisfaction of claim, 30-3-311
- warranties, 30-3-417, 30-3-424

Guarantor, 30-1-201, 30-3-415
Handwritten terms, 30-3-129

NEGOTIABLE INSTRUMENTS (Continued)

Highway revenue bonds, 17-5-926
Holder, 30-1-201; Title 30, chapter 3, part 3
  acceptance, See **Acceptance**
  collateral, disposal, 30-3-104
  date of acceptance supplied by, 30-3-410
  delivery of instrument to, 30-3-125
  determination, 30-3-126
  discharge, 30-3-208
  drawer, obligation, 30-3-423
  due course, excluded as holder in, 30-3-302
  endorsement by, 30-3-202 — 30-3-204, 30-3-210
  enforce, person entitled to, 30-3-301, See **Enforcement**, person entitled to enforce
  extension of payment, 30-3-109
  fictitious payees, 30-3-405
  judgment, confession of, 30-3-104
  note, obligation of maker, 30-3-413
  notice of dishonor, See **Notice of dishonor**
  payable to under different name, endorsement, 30-3-203
  presentment, See **Presentment**
  rights, 30-3-105
  transferee as, 30-3-105, 30-3-203
  transfer of possession, person becomes, 30-3-202
  undated instrument, date, 30-3-114
Holder in due course, 30-3-102, 30-3-302; Title 30, chapter 3, part 3
  acceptor, obligation, 30-3-422
  acquisition of instrument, 30-3-302
  bank as, 30-4-209
  discharge, 30-3-302, 30-3-601
  endorsement, See **Endorsement**
  enforce, person entitled to — rights as, 30-3-302
  promise or order, statement concerning claims or defenses — effect, 30-3-105
  purchaser as, 30-3-205
  remedy for improper negotiation, 30-3-209
  representative's liability on signature, notice, 30-3-403
  requirements, 30-3-302, 30-4-209
  rights, 30-3-210, 30-3-302, 30-3-305 — 30-3-307, 30-3-601, 30-9-309
  secured transactions, 30-9-206, 30-9-309
  status, 30-3-302, 30-3-307
  taking for value, 30-4-209
  transfer of instrument, rights acquired by, 30-3-210
Housing, lower income — issues for development, 90-6-117
Identification
  notice of dishonor, instrument, 30-3-508
  payee, 30-3-405, 30-3-420
  person to whom instrument is payable, 30-3-126, 30-3-204, 30-3-405
  presentment, person making, 30-3-504
  protest, instrument, 30-3-510
  represented person, 30-3-403
  warrantor, 30-3-417, 30-3-424
Identified person
  instrument payable to, 30-3-102, 30-3-202, 30-3-204
  promise or order payable to order of, 30-3-111
Identifying number, person or account, 30-3-126
Illegal
  terms, 28-2-709

NEGOTIABLE INSTRUMENTS (Continued)
Illegal (Continued)

- transaction, 30-3-209, 30-3-305
- transfer of instrument, purchaser's illegalities — effect, 30-3-210

Impairment of collateral, 30-3-607
Impostors, 30-3-405
Incapacity, 30-3-209, 30-3-305
Incompetents, validity of signatures, 30-3-307
Incomplete instrument, 30-3-102, 30-3-115

- acceptance, 30-3-410, 30-3-422
- alteration, 30-3-115, 30-3-407
- completion, 30-3-115, 30-3-125, 30-3-407, 30-3-413, 30-3-414, 30-3-422, 30-3-423
- drawer, obligation, 30-3-423
- endorsement, 30-3-414
- enforcement, 30-3-115, 30-3-407
- holder in due course, acquisition, 30-3-302
- note, obligation of maker, 30-3-413
- unissued, completion — binding upon, 30-3-125

Indemnity, 30-3-122, 30-3-603
Industrial development project revenue bonds, 90-5-103
Infancy, 30-3-209, 30-3-305
Injunction prohibiting payment, 30-3-603
Insolvency, 30-1-201

- discharge in proceedings, 30-3-302, 30-3-305
- guarantor, obligation when, 30-3-415
- presentment excused, 30-3-513
- warranties, 30-3-417, 30-11-220

Installment payments, overdue, 30-3-304
Instruction

- acceptance, notice, 30-3-410
- to pay, See **Order**

Insurance against loss or damage to, See **SURETYSHIP AND SURETIES**
Interest, 30-3-128

- breach of warranty, damages to include loss, 30-3-417, 30-3-424
- checks, bank's refusal to pay — loss from, 30-3-421
- default in payment, 30-3-304
- discharge from payment, 30-3-604
- note, actions to enforce barred when, 30-3-122

Intermediary bank, 30-3-102, 30-3-205, 30-4-105
Interpretation of provisions, 30-3-102; Title 30, chapter 3, part 1
Investment securities, chapter inapplicable to, 30-8-102, 30-8-105
Irregular instrument, 30-3-302
Issue, 30-3-102, 30-3-114, 30-3-125
Judgment, 28-2-709, 30-3-104, 30-3-309, 30-3-415
Justices' courts, pleading in, 25-31-512
Legal process, status of holder when instrument acquired in, 30-3-302
Letters of credit, See **LETTERS OF CREDIT**
Liability, Title 30, chapter 3, part 4

- acceptance, 30-3-409
- acceptor, 30-3-130
- accommodation party, 30-3-415
- bad checks, issuance, 27-1-717
- conversion, 30-3-419
- disclaimer, 30-3-414, 30-3-423
- drawee, 30-3-409
- drawer, 27-1-717, 30-3-130, 30-3-423
- endorsers, 30-3-130, 30-3-203, 30-3-310, 30-3-414

NEGOTIABLE INSTRUMENTS (Continued)
Liability (Continued)

- fraudulent endorsement by employee, employer responsibility, 30-3-420
- intermediary bank, 30-3-205
- joint, 30-3-130, 30-3-607
- maker, 27-1-717, 30-3-130
- payor bank, 30-3-205
- representative who signs, 30-3-403
- represented person, 30-3-307, 30-3-403
- restrictive endorsement, effect, 30-3-205
- several, 30-3-130, 30-3-607
- signature, 30-3-130, 30-3-307, 30-3-401, 30-3-404
- signer, enforcement, 30-3-307
- stop payment on checks, 27-1-717
- wrongful dishonor, 30-4-401, 30-4-402

Lien, acquisition by transferee, 30-3-303
Limitation on payment, 30-3-205
Lost instrument, 30-3-301, 30-3-305, 30-3-309, 30-3-310
Mail, 30-3-405, 30-3-420
Maker, 30-3-102
- accommodation party, 30-3-415
- action against, statute of limitations, 30-3-122
- consideration, issuance without — defense, 30-3-303
- conversion, action for, 30-3-419
- death, excused presentment, 30-3-513
- delivery of instrument, 30-3-125
- employer as, fraudulent endorsement by employee, 30-3-420
- extension of payment, 30-3-109
- impostor, issuance to, 30-3-405
- insolvency, excused presentment, 30-3-513
- liability, 27-1-717, 30-3-130, 30-3-310
- obligation, 30-3-413
- performance, promise of — nonperformance, defense, 30-3-303
- place of payment, 30-3-126
- presentment to, 30-3-504
- repudiation, excused presentment, 30-3-513
- signature, 30-3-126, 30-3-405
- tax payments, endorsement provisions, 15-1-421
- warranties on transfer, 30-3-417

Midnight, notice of dishonor, 30-3-508
Milk producers and retailers, prohibitions, 81-23-305
Misrepresentation, See **Fraud**
Mistake, 30-3-209, 30-3-425
Money, 30-1-201
- action for conversion, statute of limitations, 30-3-122
- chapter inapplicable to, 30-3-124
- expression, 30-12-602
- fixed amount, 30-3-104
- foreign, payable in, 30-3-107
- instruction to pay, order as, 30-3-102, See **Order**
- instrument payable in, 30-3-104, 30-3-107
- interest, amount, 30-3-128
- obligation, 30-3-310, 30-3-601
- undertaking to pay, promise as, 30-3-102, See **Promise**

Money order, 30-3-104
- child support payments, 40-5-202
- credit unions, sale, 32-3-401

NEGOTIABLE INSTRUMENTS (Continued)
Money order (Continued)

- escrow businesses, item, 32-7-117
- procurement contracts, bid security, 18-4-312
- public contractors, performance bonds — security, 18-2-201
- public contracts, bid security, 18-1-202, 18-1-203, 18-2-302
- state general obligation bonds, bid security, 17-5-806
- state land leases, bid deposit, 77-6-203
- unclaimed, See **PROPERTY, PERSONAL, Unclaimed or abandoned property**

Mortgage securing promissory note, 71-1-235
Multiple payees, 30-3-126
Municipal finance consolidation bonds and notes, 17-5-1627
Mutilation of instrument, 30-3-605
Names, See **Endorsement; Signatures**
Negligence contributing to forged signature or alteration, 30-3-406
Negotiation, 30-3-102, 30-3-202; Title 30, chapter 3, part 2

- anomalous endorsement, effect, 30-3-204
- effectiveness, 30-3-209
- endorsement, 30-3-203 — 30-3-205, 30-3-405, 30-3-419
- holder in due course, 30-3-302, 30-3-422
- improper, effect, 30-3-209
- multiple payees, 30-3-126
- reacquisition, 30-3-208
- remedies, 30-3-209
- remitter, by, 30-3-202
- rescission, 30-3-209, 30-3-306
- restrictive endorsement, 30-3-205
- third person instruments, 30-3-310
- transfer of instrument, 30-3-210
- transfer of possession, by, 30-3-202, 30-3-204

Nonnegotiable instrument, application of chapter to, 28-2-206
Notaries public, authority, 1-5-417, 30-3-510; Title 1, chapter 5, part 6, See also **NOTARIES PUBLIC**
Note, 30-3-102, 30-3-104

- actions to enforce, statute of limitations, 30-3-122
- certificate of deposit, 30-3-104
- corporations, 35-1-115, 35-1-623, 35-1-1111
- dishonored, 30-3-310, 30-3-512, See also **Dishonor of instrument**
- maker, See **Maker**
- obligation for which taken, effect on, 30-3-310
- payment, obligation for, 30-3-413
- presentment, 30-3-504, 30-3-512

Notice

- acceptance effective when, 30-3-410
- accommodation, instrument signed for, 30-3-415, 30-3-607
- action, right to defend, 30-3-131
- alteration, 30-3-302, 30-3-407
- breach of fiduciary duty, 30-3-205, 30-3-308
- breach of warranty, claim for, 30-3-417, 30-3-424
- checks, bank's refusal to pay — damages, 30-3-421
- claim of represented person, 30-3-308
- claim to instrument, 30-3-302
- defense, 30-3-302
- defined, 30-1-201
- discharge
  - obligation of party, 30-3-601
  - party, 30-3-302

NEGOTIABLE INSTRUMENTS (Continued)
Notice (Continued)

- dishonor, See **Notice of dishonor**
- effectiveness, 30-3-302
- overdue instrument, 30-3-302
- recoupment, claim in, 30-3-302
- representative's liability on signature, 30-3-403
- security interest, 30-9-309
- "send" defined, 30-1-201
- signature, unauthorized, 30-3-302

Notice of dishonor, 30-1-201, See also **Dishonor of instrument**
- delay in giving, 30-3-513
- drawer, liability, 27-1-717
- endorser, liability, 30-3-414
- evidence, 30-3-510
- excused, 30-3-508
- holder in due course, 30-3-302
- manner of giving, 30-3-508
- payor bank, 30-3-512, 30-4-301
- presumptions, 30-3-510
- protest, 30-3-510
- record of, 30-3-510
- required when, 30-3-508
- sufficiency, 30-3-508
- time, 30-3-508, 30-4-210
- waiver, 30-3-513

Numbers
- incomplete instrument, 30-3-115, 30-3-407
- words prevail over, 30-3-129

Obligation
- acceptor, 30-3-422, 30-3-424
- accommodation party, 30-3-305, 30-3-415, 30-3-604, 30-3-607
- acknowledgment by obligor not promise when, 30-3-102
- actions to enforce, 30-3-122, 30-3-205
- agreement to modify, supplement, or nullify, 30-3-119
- alteration of instrument, effect, 30-3-407
- breach, notice to third parties, 30-3-131
- check taken for, effect, 30-3-310
- countersign, failure to — effect, 30-3-105
- discharge, See **Discharge**
- drawer, 30-3-423, 30-3-508, 30-3-513, 30-3-607
- effect of instrument on, 30-3-310
- endorser, 30-3-414, 30-3-423, 30-3-508, 30-3-513, 30-3-604, 30-3-607
- good faith, 30-1-203
- guarantor, 30-3-415
- incomplete instrument, See **Incomplete instrument**
- maker, 30-3-413
- modification, 30-3-119, 30-3-607
- note, 30-3-310, 30-3-413
- nullification, 30-3-305
- payment of, transfer or issuance for value, 30-3-303
- promise or order, 30-3-105
- repudiation, 30-3-513
- right to enforce, 30-3-305
- security for, transfer or issuance for value, 30-3-303
- subordinated, 30-1-209
- suspension, 30-3-310

NEGOTIABLE INSTRUMENTS (Continued)
Obligation (Continued)

  third party, transfer for value, 30-3-303
  uncertified check taken for, effect, 30-3-310
Order, 30-3-102, 30-4-104
  check and negotiable instrument when, 30-3-104
  conditional, 30-3-105
  draft, 30-3-104
  not an instrument when, 30-3-104
  payable to, 30-3-102, 30-3-104, 30-3-111
  rights or obligations, 30-3-105
  unconditional, 30-3-104, 30-3-105
Ordinary care, 30-3-102, 30-3-405, 30-3-406, 30-3-420, 30-3-424, 30-3-425, 30-4-104
Outstanding, overdue when, 30-3-304
Overdue instrument, 30-3-302, 30-3-304, 30-3-410
Partnerships
  fiduciary, 30-3-308, See **Fiduciary**
  represented person, 30-3-308, See **Represented person**
Payable
  account, to, 30-3-126
  agent, to, 30-3-126
  "as originally drawn", 30-3-422
  bearer, to, 30-1-201, 30-3-102, 30-3-104, 30-3-111, 30-3-202, 30-3-204, 30-3-208
  cash, to, 30-3-111
  conversion, amount, 30-3-419
  definite time, at a, 30-3-102, 30-3-104, 30-3-109, 30-3-122, 30-3-304
  demand, on, 30-3-102, 30-3-104, 30-3-108, 30-3-109, 30-3-114, 30-3-122, 30-3-304, 30-3-512
  estate, to, 30-3-126
  fiduciary, to, 30-3-308
  fixed period after sight, failure to date — acceptance, 30-3-410
  foreign money, in, 30-3-107
  fraudulent endorsement by employee, 30-3-420
  holder, to — under different name, 30-3-203
  identification of person to whom payable, 30-3-126
  identified person, to, 30-3-202, 30-3-204
  installments, in, 30-3-304
  interest, 30-3-128
  money, in, 30-3-104, 30-3-107
  named person, to, 30-3-126
  order, to, 30-3-102, 30-3-104, 30-3-111
  public office or officer, to, 30-3-126
  reacquirer, to, 30-3-208
  represented person, to, 30-3-308
  trust, to, 30-3-126
  two or more persons, to, 30-3-126
Payee
  conversion, action for, 30-3-419
  endorsement, 30-3-405, 30-3-420
  fictitious, 30-3-405
  identification in instrument, 30-3-126, 30-3-405
  impostor, 30-3-405
  joint, endorsers — liability, 30-3-130
  recoupment, claim in, 30-3-305
  stop payment, intent to defraud, 27-1-717
  taker as, 30-3-308
  two or more, 30-3-126

NEGOTIABLE INSTRUMENTS (Continued)

Payment, 30-3-102, 30-3-603
  acceptance, See **Acceptance**
  acceptor, obligation, 30-3-422
  accommodation party, 30-3-305, 30-3-415
  actions to enforce, statute of limitations, 30-3-122
  altered instrument, 30-3-406
  authorization not order when, 30-3-102
  breach of fiduciary duty, 30-3-308
  claimant, obtained by, 30-3-311
  collateral to secure, 30-3-104
  conversion, 30-3-419
  countersignature required when, 30-3-105
  default, uncured — notice, 30-3-302
  delivery of document on, 30-2-514
  demand, 30-3-108, 30-3-504, See also **Presentment**
  discharge of obligation, 30-3-601, 30-3-603
  dishonor, See **Dishonor of instrument**
  due date, extension, 30-3-607
  endorsee, to, 30-3-205
  endorsement, 30-3-405, 30-3-420
  endorser, obligation, 30-3-414
  extension, 30-3-109
  extent, 30-3-603
  fraudulently altered instrument, 30-3-407
  holder's rights, 30-4-407
  injunction, 30-3-603
  installments, 30-3-304
  liability, 30-3-130
  limitation, 30-3-205
  loss resulting from, 30-3-405, 30-3-406
  mistake, by, 30-3-425
  nonpayment, 30-3-508, 30-3-510
  note, obligation of maker, 30-3-413
  notice of dishonor, See **Notice of dishonor**
  order, See **Order**
  ordinary care, 30-3-405, 30-3-424, 30-3-425
  place of, 30-3-127, 30-3-128, 30-3-412, 30-3-504, 30-3-604
  prepayment, 30-3-105, 30-3-109
  presentment, See **Presentment**
  promise, See **Promise**
  promisor, 30-3-102, See **Maker**
  receipt, 30-3-504
  refusal, 30-3-421, 30-3-504, 30-3-510, 30-3-603
  restriction, 30-3-203
  right to, enforcement, 30-3-305
  signature, 30-3-404, 30-3-406
  stop order, 30-4-407
  subordinated obligations, 30-1-209
  surrender of instrument, 30-3-504
  suspends, 30-3-102, 30-3-421, 30-3-423, 30-4-104
  tender of payment, 30-3-604
  time, 30-3-102, 30-3-104, 30-3-108, 30-3-109, 30-3-114, 30-3-122, 30-3-512
  unaccepted, 30-3-424, 30-3-512
  warranties, presentment, 30-3-424
Payor bank, 30-3-102, 30-3-205, 30-3-510, 30-3-512, 30-4-105

NEGOTIABLE INSTRUMENTS (Continued)

Performance, 30-1-207, 30-3-302, 30-3-303
Person entitled to enforce, See **Enforcement**
Possession
  bearer, 30-1-201, 30-3-102, 30-3-104, 30-3-111, 30-3-202, 30-3-204, 30-3-208
  drawer, obligation to holder, 30-3-423
  fictitious payees, 30-3-405
  loss of, enforcement, 30-3-301, 30-3-309
  nonholder, enforcement, 30-3-301, See **Enforcement**, person entitled to enforce
  note, obligation for payment, 30-3-413
  transfer, 30-3-202, 30-3-204, See also **Delivery; Negotiation**
  wrongful, 30-3-301, 30-3-309, 30-3-603
Possessory right in, 30-3-306
Postdating, 30-3-114
Power of attorney, statutory — authority, 72-31-228
Prepayment, 30-3-105, 30-3-109
Presentment, 30-3-102, 30-3-504, 30-4-210, See also **Acceptance**
  dishonor, See **Dishonor of instrument**
  excused, 30-3-512, 30-3-513
  notice of dishonor, See **Notice of dishonor**
  protest, contents, 30-3-510
  reasonable time, 30-1-204, 30-4-210
  tender of payment, 30-3-604
  waiver, 30-3-513
  warranties, 30-3-424
Presumptions, 30-1-201, See also **Evidence**
  accommodation party, 30-3-415
  consideration, 26-1-602
  conversion, liability, 30-3-419
  dishonor, 30-3-510
  endorsement, 26-1-602
  notice of dishonor, 30-3-510
  signatures, authentic and authorized, 30-3-307
Printed terms, 30-3-129
Process, status of holder when instrument acquired in, 30-3-302
Promise, 30-3-102, 30-4-104
  acknowledgment of obligation not, when, 30-3-102
  certificate of deposit, 30-3-104
  conditional, 30-3-105
  negotiable instrument, 30-3-104
  not an instrument when, 30-3-104
  note, 30-3-104
  performance, of, 30-3-302, 30-3-303
  rights or obligations, 30-3-105
  unconditional, 30-3-104, 30-3-105
Promisor, "maker" defined, 30-3-102, See **Maker**
Property, personal — conversion, applicability of laws, 30-3-419
Property right in, 30-3-306
Protest, 30-3-510
Public office or officer, payable to, 30-3-126
Ratification of signature, 30-3-404
Reacquisition, 30-3-102, 30-3-208
Reasonable commercial standards, 30-3-102
Recording of document, effect, 30-3-302
Recoupment, claim in, 30-3-302, 30-3-305, 30-3-307, 30-3-417

NEGOTIABLE INSTRUMENTS (Continued)

Recourse
  accommodated party, no right of, 30-3-415
  accommodation party, right of, 30-3-604, 30-3-607
  draft, without recourse, 30-3-423
  endorsement, without recourse, 30-3-414
  endorser, right of, 30-3-604, 30-3-607
Recovery
  acceptor, breach of warranty, 30-3-424
  checks, bank's refusal to pay — expenses and damages, 30-3-421
  conversion, amount, 30-3-419
  damages for breach of warranty, 30-3-417, 30-3-424
  fraudulent endorsement by employee, loss from, 30-3-420
  instrument or proceeds, 30-3-306, 30-3-405
  mistake, payment by, 30-3-425
Refusal
  payment or acceptance, 30-3-504, 30-3-510
  tender of payment, 30-3-604
  to pay instrument, 30-3-421, 30-3-603
Reimbursement from accommodated party, 30-3-415
Remedies, 30-1-201
  breach of warranty, 30-3-424, 30-3-425
  issuance of bad check or stopping payment, 27-1-717
  liberal administration, 30-1-106
  mistake, payment or acceptance by, 30-3-425
  mortgage securing promissory note, 71-1-235
  negotiation, improper, 30-3-209
  rescission, 30-3-209
Remitter, 30-3-102, 30-3-202, 30-3-205, 30-3-210
Renunciation, 30-1-107, 30-3-605
Representative, 30-3-403, 30-3-419, See also **Agent**
Represented person, 30-3-102, 30-3-307, 30-3-308, 30-3-401, 30-3-403
Repudiation of obligation, 30-3-513
Rescission of negotiation, 30-3-209, 30-3-306
Reservation of rights, 30-1-207
Responsibility of employer, fraudulent endorsement by employee, 30-3-420
Restriction on payment, 30-3-203
Restrictive endorsement, 30-3-205, See **Endorsement**
Return of instrument, 30-3-504, 30-3-508
Rights
  acceptance, on, 30-3-410
  accommodated party, no right of recourse, 30-3-415
  action, right to defend — notice, 30-3-131
  actions to enforce, statute of limitations, 30-3-122
  contract, nonnegotiable written — transfer by endorsement, 28-2-206
  delivery of instrument, purpose, 30-3-125
  drawee, 30-3-424, 30-3-425
  drawer, of — assignment, 30-3-423
  enforcement, See **Enforcement**
  financing agency, honoring or purchase of draft, 30-2-506
  fraudulent endorsement by employee, employer responsibility, 30-3-420
  holder in due course, 30-3-210, 30-3-302, 30-3-305 — 30-3-307, 30-3-601, 30-9-309
  promise or order, 30-3-105
  property or possessory, 30-3-306
  recourse, 30-3-415, 30-3-604, 30-3-607
  renunciation, 30-3-605

NEGOTIABLE INSTRUMENTS (Continued)
Rights (Continued)

- reservation, 30-1-207
- restrictive endorsement, effect, 30-3-205
- transfer of instrument, acquired by, 30-3-210
- waiver, 30-1-107

Sale, warranties, 30-11-220
Satisfaction, accord and, 30-3-311
Secured transactions, applicability of provisions, 30-3-124, 30-9-102
Securities, sale and registration — applicability of chapter, 30-3-124, 30-8-102
Security, 30-3-303, 30-3-308, 71-1-235
Security interest, 30-1-201, See also **SECURED TRANSACTIONS**

- applicability of secured transactions law, 30-9-102
- collateral, impairment, 30-3-607
- notice, 30-9-309
- perfection, 30-9-304, 30-9-305
- person entitled to enforce, 30-3-302
- priority, 30-9-309
- subordinated obligations, 30-1-209
- transfer, 30-3-203
- transferee, acquisition, 30-3-303

Seizure of instrument, 30-3-309
Separate agreement, 30-1-201, 30-3-119, 30-3-607
Service of process, 28-2-709, 30-3-309, 30-3-415
Short titles, 30-1-101, 30-3-101
Sight, payable at, 30-3-108, 30-3-109, 30-3-410, 30-3-512
Signatures

- acceptance of draft, 30-3-410
- accommodation party, 30-3-415
- admissibility, 30-3-307
- agent, by, 30-3-401
- anomalous endorsement, 30-3-415
- assumed name, 30-3-401
- authentication, 30-3-307, 30-3-417; Title 26, chapter 10, M.R.Ev., Rule 902
- authorization, 30-3-307, 30-3-403, 30-3-417
- automated means, 30-3-126
- blank endorsement, conversion, 30-3-204
- burden of establishing, 30-3-307
- cancellation, 30-3-605
- check-writing machines, 30-3-126, 30-3-405
- countersignature, 30-3-104, 30-3-105
- drawee, 30-3-410
- drawer, 30-3-126, 30-3-405
- employee, responsibility, 30-3-420
- endorsement, as, 30-3-203, See also **Endorsement**
- forgery, 30-3-406
- form, 30-3-403
- fraud, induced by, 30-3-305
- genuineness, 25-31-512; Title 26, chapter 10, M.R.Ev., Rule 902
- how made, 30-3-203, 30-3-401
- impostors, by, 30-3-405
- incomplete instruments, 30-3-115, 30-3-413
- "issuer" defined, 30-3-125
- lack of, 30-3-404, 30-3-410
- liability, 30-3-130, 30-3-401, 30-3-403, 30-3-404
- maker, 30-3-126, 30-3-405, 30-3-413
- mark in lieu of, 30-3-401

NEGOTIABLE INSTRUMENTS (Continued)
Signatures (Continued)

- missing, 30-3-404, 30-3-410
- mistake, payment or acceptance by, 30-3-425
- organizations, 30-3-404
- payee, by another person in the name of, 30-3-405
- place of, 30-3-203
- presumptions, 30-3-307
- proof, 30-3-307
- ratification, 30-3-404
- receipt for payment, 30-3-504
- representative, by, 30-3-403
- represented person, 30-3-401, 30-3-403
- separate paper, 30-3-203
- striking out, 30-3-605
- symbol in lieu of, 30-3-401
- trade name, 30-3-401
- unauthorized, 30-1-201, 30-3-302, 30-3-404, 30-3-424, 30-4-104
- validity, 30-3-307
- warranties, 30-3-417, 30-3-424
- word in lieu of, 30-3-401

Statute of frauds, accommodation party's obligation — enforcement, 30-3-415
Statute of limitations, 27-2-213, 30-3-122
Stolen instrument, 30-3-301, 30-3-305, 30-3-309, 30-3-310, 30-3-603
Subject matter of chapter, 30-3-124
Subordinated obligations, 30-1-209
Surety, 30-1-201, 30-3-415, 30-3-607
Surety insurance, See **SURETYSHIP AND SURETIES**
Suretyship, defenses — waiver, 30-3-607
Surrender of instrument, 30-3-504, 30-3-605
Suspension of obligation, 30-3-310
Taking for collection, 30-3-205, 30-3-203, 30-3-308, 30-3-405, 30-3-419, 30-3-420
Taking for value

- altered instrument, 30-3-406
- breach of fiduciary duty, 30-3-308
- endorsement, 30-3-203, 30-3-205, 30-3-405, 30-3-406, 30-3-420
- fraudulently altered instrument, 30-3-407
- holder in due course, 30-3-302
- loss resulting from, 30-3-406
- mistake, payment or acceptance by, 30-3-425
- ordinary care, 30-3-405
- signature unauthorized, 30-3-404

Tax payments by, 15-1-421
Tender of instrument in satisfaction of claim, 30-3-311
Tender of payment, 30-3-604, See also **Payment**
Terms of instrument, 30-3-129, 30-3-203, 30-3-309, 30-3-504, 30-3-513
Third parties, obligation — transfer or issuance for value, 30-3-303
Third persons, 30-3-131, 30-3-310
Trade usage, 30-1-205, 30-3-304
Transfer by endorsement, 28-2-206
Transferee

- assignee, partial — rights as, when, 30-3-210
- countersign, failure to — effect, 30-3-105
- enforcement, rights vested, 30-3-210
- holder, determination, 30-3-203
- lien, acquisition, 30-3-303
- recoupment, claim in, 30-3-305

NEGOTIABLE INSTRUMENTS (Continued)
Transferee (Continued)

- restrictive endorsement, 30-3-205
- security interest, acquisition, 30-3-303
- warranties, 30-3-417

Transfer of instrument, 30-3-102, 30-3-210
- endorsement, by, 28-2-206, 30-3-203, 30-3-417
- exchange, for, 30-3-303
- possession, loss of — enforcement when, 30-3-309
- reacquisition by, 30-3-208
- restrictive endorsement, 30-3-205
- rights acquired by, 30-3-210
- value, for, 30-3-210, 30-3-303
- warranties, 30-3-417, 30-3-424, 30-11-220

Transfer of possession, 30-3-202, 30-3-204, See also **Delivery; Negotiation**
Transfer of security interest, 30-3-203
Trustee, 30-3-205, 30-3-308, See also **Fiduciary**
Trust, payable to, 30-3-126
Typewritten terms, 30-3-129
Unauthorized change, 30-3-407, See also **Alteration**
Unauthorized signatures, See **Signatures**
Unclaimed sums payable on, See **PROPERTY, PERSONAL**, **Unclaimed or abandoned property**
Unconditional promise or order, 30-3-104, 30-3-105
Undated instrument, 30-3-114
Undertaking to pay, promise as, 30-3-102, See **Promise**
Unissued instrument, 30-3-114, 30-3-125
United States consul, protest, 30-3-510
Usage of trade, 30-1-205, 30-3-304
Value
- accommodated party, 30-3-415
- collateral, impairment, 30-3-607
- defined, 30-3-102, 30-3-303
- issuance for, 30-3-303, 30-3-415
- taking for, See **Taking for value**
- transfer of instrument for, 30-3-210, 30-3-303

Variance of draft, acceptance, 30-3-412, 30-3-422
Vice consul, protest, 30-3-510
Waiver
- benefit of law, 30-3-104
- claim or right, 30-1-107
- defenses based on suretyship or impairment of collateral, 30-3-607
- discharge, 30-3-607
- execution exemption, unenforceable when, 25-13-601
- notice of dishonor, 30-3-513
- presentment, 30-3-513

Warehouse receipts, See **DOCUMENTS OF TITLE**
Warranties, 30-3-417, 30-3-424, 30-11-220, See also **Breach**
Words
- blank endorsement, conversion to special endorsement, 30-3-204
- discharge, addition indicating, 30-3-605
- draft, indicating without recourse, 30-3-423
- incomplete instrument, 30-3-115, 30-3-407
- prevailing over numbers, 30-3-129
- restrictive endorsement, 30-3-205
- signature, 30-3-203, 30-3-401, 30-3-415

Wrongful possession, 30-3-301, 30-3-309, 30-3-603

NEGOTIATED RULEMAKING ACT, Title 2, chapter 5, part 1
  See **ADMINISTRATIVE RULES**

NEPOTISM
Appointment of relatives
  agreements for, unlawful, 2-2-303
  unlawful and exception, 2-2-302
Defined, 2-2-301
Employment discrimination provisions, effect, 49-2-303, 49-2-403, 49-3-201
Meat inspectors assigned to official establishments, 81-9-226
Park Commissioners, County Board of — applicability of provisions, 7-16-2314
Penalty for violations, 2-2-304
Workers' compensation state fund, applicability, 39-71-2314

NEW COAL PRODUCTION INCENTIVE TAX CREDIT ACT OF 1985, Title 15, chapter 35, part 2
  See **TAXATION, MINERALS, Coal severance tax**

NEW HORIZONS ACT, Title 39, chapter 7, part 6
  See **DISPLACED HOMEMAKERS, Child care assistance**

NEWS MEDIA
Advertising exemptions, 30-14-105
Agricultural market news service, 80-1-102
Comprehensive health association plan, information regarding existence and enrollment, 33-22-1515
Confidential information, See **EVIDENCE, Privileges**
Corporate actions creating dissenters' rights, announcement, 35-1-831, 35-1-836
Criminal proceedings and records, pretrial — closure and sealing when, 46-11-701
Defamation by, See **DEFAMATION**
Election recounts, may be present, 13-16-411
Emergencies
  communications systems or networks, 10-3-106
  coverage, interference with prohibited, 10-3-102
Evidence, privileged information, See **EVIDENCE, Privileges**
Fish and wildlife crimestoppers program, promotion, 87-5-605
Freedom of press and expression, Const., II, 7
Legislative proceedings, fee exemption when, 5-11-213
Libel by, See **DEFAMATION, Media**
Nuclear facility licenses, evacuation plans, 75-20-1204
Open meeting provisions, 2-3-211, See **OPEN MEETINGS**
Political (action) committees, labeling of media advertisements, 13-37-210
Privileged communications, See **EVIDENCE, Privileges**
Recreation, entry on private land — information to public, 45-6-201
Reporters
  capitol building press room, 2-17-103
  evidence, privileged information, See **EVIDENCE, Privileges**
School trustee meetings, copies of minutes, 20-3-323
Securities investment advisers, exclusion as, 30-10-103
Slander by, See **DEFAMATION, Media**
Winter work committee, representation on, 7-16-4303

NEWSPAPERS
  See also **NEWS MEDIA**, generally

NEWSPAPERS (Continued)

Advertising
  false, misleading, or deceptive — nonapplicability of consumer protection provisions, 30-14-105
  salespersons, minimum wage and overtime compensation exclusions, 39-3-406
Affidavit, printers, See **AFFIDAVITS**
Audit reports and summary of significant findings of local government entities, publication and copies sent to, 2-7-521
Authentication, Title 26, chapter 10, M.R.Ev., Rule 902
Carriers, workers' compensation coverage and exclusions, 39-71-401
Cities and towns, publication of annual statement of receipts and expenditures, 7-6-4106, 7-6-4110
Confidential information, See **EVIDENCE**, **Privileges**
Controlled substances, forfeiture proceedings — publication of summons, 44-12-201
Counties, annual financial statements — publication, 7-5-2123
County Commissioners, Board of — publication of proceedings, 7-5-2123
County drinking and driving prevention program meetings, notice, 61-2-106
County offices, order for consolidation, 7-4-2310
County printing and legal advertising, contracts for, 7-5-2404, 7-5-2411
County property, lease availability
  boarding or nursing home purposes, 7-34-2303
  hospital purposes, 7-34-2204
County road improvement district bonds, call for outstanding, 7-14-2763
Court rules, orders, and decrees — publication, 25-3-502, 25-3-503
Defamation, See **DEFAMATION**
Delivery
  boxes, placement along highways, 60-6-101, See also **HIGHWAYS**, **Encroachments**
  personnel, income tax withholding exemption, 15-30-201
Dentists, advertising, 37-4-101, 37-4-322, 37-4-502
Detention centers, private party operation — requests for contract proposals, 7-32-2233
Door-to-door sales, exception, 30-14-502
Drugs
  imitation dangerous drugs, criminal advertisement, 45-9-114
  paraphernalia, advertisement unlawful, 45-10-106
Elections
  campaign contributions or expenditures, nonapplicability when, 13-1-101
  election materials not to be anonymous, 13-35-225
  notice, publication of
    political subdivisions, 13-1-401
    polling place, designation, 13-3-105
    registration
      cancellation, 13-2-401
      closure, 13-2-301
    special election, 13-1-108
    voting machines or devices, information concerning, 13-17-203
Emergencies or disasters, public service messages, 10-3-102
Employees
  minors as, exemptions, 41-2-104
  transportation rates, free or reduced when, 69-11-208
  unemployment insurance coverage exclusions, 39-51-204, See also **UNEMPLOYMENT INSURANCE**, generally
Evidence
  authentication, Title 26, chapter 10, M.R.Ev., Rule 902
  leases, prevailing rent or value of goods, 30-2A-507
  privileged information, See **EVIDENCE**, **Privileges**
  sales, price — market quotations, admissibility, 30-2-724

NEWSPAPERS (Continued)

Facility siting
  application for certificate, summary of, 75-20-211
  certification proceedings, statement of intent to participate, 75-20-221
Freedom of press, Const., II, 7
"Free-lance correspondent" defined, 39-51-204
Health care facility construction plans, 50-5-404
Health service corporations, false or deceptive advertising prohibited, 33-30-305
Insurers, false or deceptive advertising — prohibited, 33-18-203
Irrigation districts
  revenue bonds, notice of sale, 85-7-1437
  subdistrict, creation — notice of hearing, 85-7-402
Legislative proceedings, fee exemption when, 5-11-213
Libel by, See **DEFAMATION**, **Media**
Local government
  alteration of existing form, recommendations for — publication of summary, 7-3-148
  services, consolidation or transfer — recommendations, publication of summary and comparison, 7-11-306
  study commission
    recommendations, summary, 7-3-191
    timetable, 7-3-186
Megalandfill siting
  application for certificate, summary, 75-10-918
  certification proceedings, statement of intent to participate, 75-10-927
  financial assurance requirement, release of operator — hearing notice, 75-10-951
  long-range plan, summary of proposed plan, 75-10-913
Messages, carriers of — order of transmission of messages, 69-11-302
Mining
  permit applications, announcement, 82-4-222
  reclamation bonds, release — public hearing, 82-4-232
Motor vehicle graveyard and wrecking facility applications, notices, 75-10-516
"Newspaper carrier" defined, 39-51-204, 39-71-401
Notices
  administrative rulemaking, negotiated — committee not to be established, 2-5-106
  cities and towns, publication, 7-1-4127, 7-1-4128, See **CITIES AND TOWNS**
  corporations, publication, 35-1-116
  counties, publication, 7-1-2121, See also **COUNTIES**
  estates and probate, publication, 72-1-301
  forest fire protection districts, creation — hearing, 76-13-204
  generally, See specific main category, **Notice** entries
  governmental facilities, closure or retrenchment, 39-2-1003
  hazardous or deleterious substance, remedial action upon release — proposed administrative order or consent decree, 75-10-713
  hazardous waste facilities, proposed — hearing, 75-10-441
  legal, publication, Title 18, chapter 7, part 2
  motor carrier certificate of public convenience and necessity, application hearing, 69-12-322
  nonprofit corporations, publication, 35-2-115
  public participation in government, compliance, 2-3-104
  rural special improvement districts, 7-12-2106, 7-12-2107, See **RURAL SPECIAL IMPROVEMENT DISTRICTS**
  special improvement districts, 7-12-4107, See **SPECIAL IMPROVEMENT DISTRICTS**
Obscene material, public display or dissemination to minors, 45-8-201, 45-8-205 — 45-8-208
Parking commissions, annual financial statement, 7-14-4615
Personal solicitation sales, exception, 30-14-502
Pornography, See **CRIMES**, **Obscenity**

NEWSPAPERS (Continued)

Printers' affidavits, See **AFFIDAVITS**
Privileged communications, See **EVIDENCE, Privileges**
Property, personal — bailment, sale notices
  storage costs, for, 70-6-411
  storage space rental fees, for, 70-6-411
Quiet title, summons — publication, 70-28-208
Real estate broker and salesman provisions, nonapplicability, 37-51-103
Reporters, privileged communications, See **EVIDENCE, Privileges**
Schools
  annual financial reports, publication, 20-3-205
  elections
    notices, 20-3-337, 20-20-204
    results, publication, 20-20-416
  property, notice of disposal or sale, 20-6-604
  trustees, appointment of relative — notice, publication, 2-2-302
Securities
  investment adviser provisions, nonapplicability to publisher, 30-10-103
  offer to sell or to buy not made when, 30-10-110
Slander by, See **DEFAMATION, Media**
Summons
  publication, 25-3-502, 25-3-503
  service by publication, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Tax revenue increase, intention to budget — advertisement, 15-10-203
Telecommunications charges, aiding the avoidance of — offense of, 45-6-307
Timeshare offerings, advertisements, 37-53-214
Transporters, exemption from motor carrier laws, 69-12-102
Unemployment insurance coverage exclusions, 39-51-204, See also **UNEMPLOYMENT INSURANCE**, generally
Urban renewal, annual report, 7-15-4237
Vacation of portion of village or townsite, citation, 7-5-2502
Water supply and sewer district notices, publication
  resolution of intention to create, passage, 7-13-3005
  resolution to levy and assess tax for making improvements, 7-13-3021

9-1-1 EMERGENCY TELEPHONE SYSTEM
  See also **EMERGENCIES AND EMERGENCY POWERS**
Account, 10-4-101, 10-4-301 — 10-4-303
Advisory council, 10-4-102
Definitions, 10-4-101, 10-4-204
Disabled persons, service to, 53-19-306
Fee for exchange access services, 10-4-201
  action to collect, 10-4-207
  appeal, 10-4-212
  costs of collection, 10-4-302
  credits, 10-4-206, 10-4-207
  deficiency assessment, 10-4-206, 10-4-207, 10-4-211, 10-4-212
  delinquencies, 10-4-211
  exemptions, 10-4-202
  held in trust, 10-4-211
  overpayment, 10-4-205 — 10-4-207
  penalties, 10-4-204, 10-4-206, 10-4-211, 10-4-212
  records, 10-4-203
  refunds, 10-4-205 — 10-4-207, 10-4-212, 10-4-301
  returns, 10-4-201, 10-4-203, 10-4-204, 10-4-207

9-1-1 EMERGENCY TELEPHONE SYSTEM (Continued)
Fee for exchange access services (Continued)

- statutes of limitation, 10-4-205, 10-4-207
- tax, considered as, 10-4-212
- warrant for distraint, 10-4-211

Information, lawful release to, 27-1-735
Minimum service, 10-4-101, 10-4-102
Pay phones, 10-4-121, 10-4-202, 10-4-302
Planning and plans, 10-4-102, 10-4-301
- final, 10-4-112, 10-4-113
- preliminary, 10-4-111, 10-4-113

Public safety communications officers, 44-4-301, 44-4-302, 7-31-201 — 7-31-203
Report to legislature, 5-11-210, 10-4-102
Requirements, 10-4-103
Rules, 10-4-111, 10-4-112, 10-4-203
Telephone numbers, unpublished or unlisted — lawful release to, 27-1-735

NOISE
Airport influence areas, See **AIRPORTS AND LANDING FIELDS, Noise and vibration**
Boats
- sound levels limited, 23-1-122, 23-2-512, 23-2-523, 23-2-526, 23-2-532, 87-1-506
- suppression devices, requirements, 23-2-521

City or town council, authority, 7-32-4302
Courts, in — offense of criminal contempt, 45-7-309
Facility siting long-range plans, environmental factors evaluated, 75-20-503
Loud or unusual
- disorderly conduct, 45-8-101
- public nuisance, 45-8-111

Motorcycles, suppression devices and decibel limitations, 61-9-418
Motor vehicles, mufflers, 61-9-403, 61-9-418
Occupational deafness, See **WORKERS' COMPENSATION, Deafness, occupational**
Occupational health, "pollutant" defined, 50-70-103
Quadricycles, suppression devices and decibel limitations, 61-9-418
Railroad cabooses, insulation to reduce, 69-14-232
Shooting ranges, standards — nonapplicability, 45-8-111, 76-9-102
Snowmobiles, sound levels limited, 23-2-634
Strip and underground mining, operator use of explosives to minimize noise, 82-4-231

NOLO CONTENDERE, 35-1-452, 35-2-447; Title 26, chapter 10, M.R.Ev., Rules 410, 803

NONFORFEITURE LAW FOR INDIVIDUAL DEFERRED ANNUITIES, STANDARD, Title 33, chapter 20, part 5
See **INSURANCE, LIFE, Standard nonforfeiture law, individual deferred annuities**

NONFORFEITURE LAW FOR LIFE INSURANCE, STANDARD, Title 33, chapter 20, part 2
See **INSURANCE, LIFE, Standard nonforfeiture law, life insurance**

NONGAME AND ENDANGERED SPECIES CONSERVATION ACT, Title 87, chapter 5, part 1
See **FISH AND WILDLIFE, Nongame and endangered species**

NONPROFIT CORPORATIONS
See also **CORPORATIONS**, generally
Abuse of authority, 35-2-132, 35-2-423, 35-2-728, 35-2-832, See also **QUO WARRANTO, WRIT OF**
Accounting review boards, as — nonliability of members when, 37-50-403

NONPROFIT CORPORATIONS (Continued)

Acknowledgments, 35-2-119, 35-2-122, 35-2-1109
Actions and proceedings
  articles of incorporation, amendment, 35-2-222, 35-2-228
  attorney general, notice to, 35-2-131, 35-2-609, 35-2-729
  committees, by, 35-2-433, 35-2-906, 35-2-907
  consent
    acceptance or rejection, validity of action based on, 35-2-542
    to obtain, 35-2-130
  creditors, against member, 35-2-518
  derivative proceedings, 35-2-132, 35-2-1301 — 35-2-1307
  directors, board of
    action without meeting, 35-2-428, 35-2-433, 35-2-906, 35-2-907
    conflict of interest transactions, 35-2-418
    liability, 27-1-732, 35-2-416
    removal, 35-2-423, 35-2-429
  dissolution
    claims, enforcement, 35-2-726, 35-2-727
    effect, 35-2-725
    involuntary, 35-2-214
    judicial dissolution, 35-2-728, 35-2-729
    revocation, 35-2-724
    survival of remedy, right, or claim, 35-2-727
    venue, 35-2-729
  emergency bylaws, in accordance with, 35-2-218
  foreign corporations
    certificate of authority, required or revocation, 35-2-821, 35-2-832
    stay when, 35-2-821
    transaction of business, exclusion, 35-2-820
  incorporation, to cancel or revoke, 35-2-214
  incorporators, actions without meeting, 35-2-216
  indemnification, 35-2-446 — 35-2-454, 35-2-912
  meetings of members, failure to hold — effect, 35-2-526
  meetings, to hold, 35-2-130
  members
    action without meeting, 35-2-529, 35-2-533, 35-2-906, 35-2-907
    liability, corporate acts, 35-2-516
    list, inspection and copying — effect of noncompliance, 35-2-535
    termination, expulsion, or suspension — challenges, 35-2-520
    written ballot, by, 35-2-533
  merger, 35-2-609, 35-2-612
  name in suit, 35-2-118, 35-2-228, 35-2-725, 35-2-727
  officers, liability, 27-1-732, 35-2-441
  "proceeding" defined, 35-2-114
  proxy appointment, acceptance or rejection — validity of action based on, 35-2-542
  quo warranto, Title 27, chapter 28
  receiver, authority, 35-2-730
  reorganization, 35-2-227
  right of, 35-2-118
  rural cooperative utilities, 35-18-107
  security for costs, 25-10-601
  service of process, 35-2-314, 35-2-613
  trustee's authority, 72-34-326
  ultra vires, 35-2-132
  vote or waiver, acceptance or rejection — validity of action based on, 35-2-542

NONPROFIT CORPORATIONS (Continued)

Addresses
- agent, registered, 35-2-222, 35-2-310, 35-2-828, 35-2-832
- annual report, inclusion, 35-2-904
- articles of incorporation
  - deletions, 35-2-222
  - statement in, 35-2-213
- certificate of authority, application — inclusion, 35-2-822
- dissolution
  - claims, mailing address for, 35-2-726
  - distribution of assets, list of persons receiving, 35-2-722
- lists, inclusion
  - directors and officers, 35-2-906
  - members, 35-2-535
- office, registered, 35-2-222, 35-2-310
- record of members, inclusion, 35-2-115, 35-2-520
- service of process, mailing address, 35-2-831

Adoption agencies as, 52-2-404

Agents, 35-2-118, See also **AGENCY**, generally
- consent, acceptance or rejection, 35-2-542
- death or incapacity of member, notice to, 35-2-539
- falsification of documents, 35-2-832
- indemnification, 35-2-446, 35-2-452
- insurance, 35-2-453
- liability, 35-2-218, 35-2-453
- members, of
  - inspection of list or records, 35-2-535, 35-2-908
  - record of, 35-2-906
- orders obtained by, transaction of business exclusion, 35-2-820
- proxy appointment
  - acceptance or rejection, 35-2-542
  - receipt or revocation, 35-2-539
- registered, 35-2-309, 35-2-827
  - address, change, 35-2-310, 35-2-828
  - annual reports, statement in, 35-2-904
  - appointment, 35-2-311, 35-2-828, 35-2-832
  - articles of incorporation, statement in, 35-2-213
  - certificate of authority
    - application, inclusion, 35-2-822
    - revocation, effect, 35-2-833
  - change, 35-2-222, 35-2-310, 35-2-828, 35-2-832
  - corporation as, 35-1-313, 35-2-309, 35-2-827
  - demand on corporation, agent for, 35-2-315
  - dissolution, effect, 35-2-725
  - notices to, 35-2-115, 35-2-315
  - resignation, 35-2-311, 35-2-829, 35-2-832
  - revocation of authority, 35-2-831
  - service of process, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  - tax list, inclusion, 15-31-603
- secretary of state, as, 35-2-613, 35-2-831
- service of process, 35-2-831
- surviving corporation, 35-2-609
- ultra vires acts, 35-2-132
- vote or waiver, acceptance or rejection, 35-2-542

Aging and aged persons, activities for — local government funding, 7-16-101

NONPROFIT CORPORATIONS (Continued)

Agricultural marketing associations, Title 35, chapter 17
Amendment
  articles of, 35-2-114, 35-2-225, 35-2-227
  bylaws, 35-2-118, 35-2-130, 35-2-218, 35-2-229 — 35-2-233, 35-2-415, 35-2-422, 35-2-433, 35-2-537, 35-2-538, 35-2-608, 35-2-610, 35-2-612, 35-2-617, 35-2-721, 35-2-725, 35-2-906
  incorporation, See **Articles of incorporation**
  legislative reservation of power, 35-2-116
Amusement games, Title 23, chapter 6, part 1
Animal and research facilities protection, Title 81, chapter 30, part 1
Annual reports, 35-2-904
  copies kept at offices, 35-2-906
  designation of corporation in, 35-2-126
  filing, 35-2-114, 35-2-832, 35-2-904, 35-2-1112
  form, 35-2-1108
  officers, designation, 35-2-115, 35-2-314, 35-2-829
  principal office, designation, 35-2-114, 35-2-115, 35-2-311, 35-2-314
Appeal from decision of secretary of state, 35-2-834, 35-2-1110
Applicability of laws
  exclusions, 35-2-820
  foreign corporations, 35-2-613
  legislative power, 35-2-116
  merger, 35-2-613
  religious corporations, 35-3-102, See **Religious corporations; RELIGIOUS CORPORATIONS SOLE**
Articles of
  amendment, 35-2-114, 35-2-225, 35-2-227
  correction, 35-2-122
  dissolution, 35-2-720, 35-2-722 — 35-2-724, 35-2-1112
  incorporation, See **Articles of incorporation**
  merger, 35-2-114, 35-2-610, 35-2-611
  restatement, 35-2-226
  revocation of dissolution, 35-2-724
Articles of incorporation, 35-2-114, 35-2-212, 35-2-214
  adoption, 35-2-433
  amendment
    articles of amendment, 35-2-114, 35-2-225, 35-2-227
    authority, 35-2-221
    committees, authority, 35-2-433
    copies kept at offices, 35-2-906
    directors and members, by, 35-2-223
    directors, by or pertaining to, 35-2-222, 35-2-415, 35-2-422
    dissolution, 35-2-721
    effect, 35-2-228
    judicial reorganization, pursuant to, 35-2-227
    meetings, subject matter limitation, 35-2-130
    members, class voting, 35-2-224
    memberships, redemption or cancellation — for, 35-2-233
    merger, 35-2-608, 35-2-610, 35-2-612
    reorganization, pursuant to, 35-2-227
    restatement, inclusion, 35-2-114, 35-2-226
    sale of assets, 35-2-617
    termination of members, for, 35-2-233
    third person, approval by, 35-2-232

NONPROFIT CORPORATIONS (Continued)
Articles of incorporation (Continued)

- bylaws
  - amendment, 35-2-230
  - consistency with, 35-2-118, 35-2-217
  - controlling, 35-2-213
- committees, creation and authority, 35-1-433
- contents, 35-2-213
- copies kept at offices, 35-2-906
- delegates, provisions for, 35-2-524
- designation of corporation in, 35-2-126
- directors, board of
  - action without meeting, 35-2-428
  - appointment, 35-2-417
  - compensation, 35-2-425
  - conflict of interest transactions, 35-2-418
  - designation, 35-2-114, 35-2-216, 35-2-417
  - election, 35-2-114, 35-2-417, 35-2-541
  - number specified and qualifications, 35-2-415
  - quorum requirements, 35-2-431
  - removal, 35-2-421 — 35-2-423
  - terms, 35-2-419
  - vacancies, filling, 35-2-419, 35-2-424
- dissolution, requirements, 35-2-720, 35-2-721, 35-2-725, 35-2-728
- existence, corporate — perpetual, 35-2-118
- filing, 35-2-212, 35-2-214
- fraud, obtained through, 35-2-728
- indemnification, provisions for, 35-2-448, 35-2-450, 35-2-452, 35-2-454
- insurance producers, 33-17-211
- meetings of delegates, provisions for, 35-2-130, 35-2-524
- meetings of directors, provisions for, 35-2-130, 35-2-427, 35-2-429
- meetings of members, provisions for, 35-2-130, 35-2-527, 35-2-537
- members and membership
  - action without meeting, 35-2-529, 35-2-533
  - admission, 35-2-510, 35-2-511
  - directors' election, right to vote, 35-2-114
  - dues, assessments, and fees, 35-2-517
  - list, inspection and copying — rights, 35-2-535
  - proxy, 35-2-539
  - purchase of memberships, 35-2-522
  - quorum requirements, 35-2-537
  - records, inspection and copying — rights, 35-2-907
  - rights and obligations, 35-2-114, 35-2-513
  - termination, expulsion, or suspension, 35-2-520
  - transfer of memberships, 35-2-514
  - voting entitlement generally, 35-2-536
  - voting requirements, 35-2-114, 35-2-538, 35-2-540
  - written ballot, action by, 35-2-533
- merger, 35-2-608, 35-2-610, 35-2-612
- notice requirements, 35-2-115, 35-2-130, 35-2-430, 35-2-531
- officers, provisions for, 35-2-439
- powers, corporate — persons authorized to exercise, 35-2-414
- purpose, statement in, 35-2-117, 35-2-305
- repeal, 35-2-433
- restatement, 35-2-226, 35-2-228, 35-2-906
- sale of assets, 35-2-616, 35-2-617
- voting, provisions for, 35-2-130, 35-2-224, 35-2-231, 35-2-421, 35-2-431, 35-2-536, 35-2-538

NONPROFIT CORPORATIONS (Continued)

Arts organizations, special beer and table wine license fee, 16-4-303, 16-4-501
Assets
  derivative proceedings involving, 35-2-1302
  dissolution
    deposits for unlocatable claimants, creditors, or members, 35-2-732
    distribution upon, See **Dissolution**
    effect, 35-2-725
    preservation, 35-2-725, 35-2-729
    sale and proceeds, 35-2-730
    transfer or conveyance, 35-2-725
  financial statement, 35-2-911
  good will, 35-2-609, 35-2-617
  liquidation, 35-2-727
  merger, transfer or conveyance, 35-2-609
  misapplication or waste, 35-2-728, 35-2-832
  name, acquisition, 35-2-305, 35-2-826
  purchase of memberships when, 35-2-1402
  sale or other disposition, 35-2-130, 35-2-433
    dissolution, 35-2-730
    in regular course of activities, 35-2-616
    other than in regular course of activities, 35-2-617
Assumed business name, 35-2-305, 35-2-826, See **ASSUMED OR FICTITIOUS NAMES**
Attorney-in-fact, See **Power of attorney**
Benefit plans, 35-2-118
Board of directors, See **Directors, board of**
Bonds, issuance, 35-2-118
Borrow money, power to, 35-2-118
Bylaws, 35-2-114
  adoption, 35-2-118, 35-2-216 — 35-2-218, 35-2-433
  amendment, 35-2-118, 35-2-130, 35-2-218, 35-2-229 — 35-2-233, 35-2-415, 35-2-422, 35-2-433, 35-2-537, 35-2-538, 35-2-608, 35-2-610, 35-2-612, 35-2-617, 35-2-721, 35-2-725, 35-2-906
  articles of incorporation
    amendment, 35-2-223
    consistency with, 35-2-118, 35-2-213, 35-2-217
  committees, creation and authority, 35-2-433
  contents, 35-2-217
  copies kept at offices, 35-2-906
  delegates, provisions for, 35-2-524
  directors, board of
    action without meeting, 35-2-428
    appointment, 35-2-417
    compensation, 35-2-425
    conflict of interest transactions, 35-2-418
    designation, 35-2-114, 35-2-417
    election, 35-2-114, 35-2-417, 35-2-541
    number specified and qualifications, 35-2-415
    quorum requirements, 35-2-431
    removal, 35-2-421 — 35-2-423
    terms, 35-2-419
    vacancies, filling, 35-2-419, 35-2-424
  dissolution, requirements, 35-2-720, 35-2-721, 35-2-725, 35-2-728
  emergency bylaws, 35-2-218
  indemnification, provisions for, 35-2-452, 35-2-454
  meetings of delegates, provisions for, 35-2-130, 35-2-524

NONPROFIT CORPORATIONS (Continued)
Bylaws (Continued)

- meetings of directors, provisions for, 35-2-130, 35-2-427, 35-2-429
- meetings of members, provisions for, 35-2-130, 35-2-526, 35-2-527, 35-2-530, 35-2-532, 35-2-537
- members and membership
  - action without meeting, 35-2-529, 35-2-533
  - admission, 35-2-510, 35-2-511
  - directors' election, right to vote, 35-2-114
  - dues, assessments, and fees, 35-2-517
  - list, inspection and copying — effect of noncompliance, 35-2-535
  - proxy, 35-2-539
  - purchase of memberships, 35-2-522
  - quorum requirements, 35-2-537
  - rights and obligations, 35-2-114, 35-2-513
  - termination, expulsion, or suspension, 35-2-520
  - transfer of memberships, 35-2-514
  - voting entitlement generally, 35-2-536
  - voting requirements, 35-2-114, 35-2-538, 35-2-540
  - written ballot, action by, 35-2-533
- merger, 35-2-608, 35-2-610, 35-2-612
- notice requirements, 35-2-115, 35-2-130, 35-2-430, 35-2-530, 35-2-531
- officers, provisions for, 35-2-439, 35-2-440
- record date, manner of fixing, 35-2-532
- records, inspection and copying — rights, 35-2-907
- repeal, 35-2-218, 35-2-433
- restatement, 35-2-906
- sale of assets, 35-2-617
- voting, provisions for, 35-2-130, 35-2-224, 35-2-231, 35-2-421, 35-2-431, 35-2-536, 35-2-538

Calcutta pools, proceeds contributed to, 23-5-221
Capitol Restoration Commission, incorporation authority, 5-17-206
Carnival games, Title 23, chapter 6, part 1
Certificates

- authority, of, See **Foreign corporations**
- existence, of, 35-2-822, 35-2-1108, 35-2-1112
- revocation, of, 35-2-833, 35-2-834
- withdrawal, of, 35-2-831, 35-2-1108

Citation of Nonprofit Corporation Act, 35-2-113
Community service participants, workers' compensation coverage, 39-71-117, 39-71-118
Computer-generated information or formats, 35-2-1003, 35-2-1108
Consent

- acceptance or rejection, 35-2-542
- agent, registered — change, 35-2-310, 35-2-828
- directors, removal, 35-2-540
- dissolution, for, 35-2-721, 35-2-722
- meetings
  - to obtain, 35-2-130
  - trustee's authority, 72-34-326
- members
  - admission, 35-2-510
  - list, use, 35-2-910
- merger, transactions concerning members, 35-2-609
- name
  - registered, use by another corporation, 35-2-307
  - similar to other corporation, for use, 35-2-305, 35-2-826
- written, 35-2-114
  - action without meeting, 35-2-428, 35-2-529

NONPROFIT CORPORATIONS (Continued)
Consent (Continued)
  written (Continued)
    articles of incorporation, amendment or restatement, 35-2-223, 35-2-226
    bylaws, amendment, 35-2-230
    dissolution, approval, 35-2-721
    incorporators, actions without meeting, 35-2-216
    merger, approval, 35-2-610
    sale of assets, 35-2-617
Consolidation, See **Merger**
Contract
  dissolution, transfer of assets, 35-2-725
  indemnification, provisions for, 35-2-452, 35-2-454
  merger, plan of — abandonment, 35-2-610
  officers, rights and execution, 35-2-443, 35-2-444
  power to, 35-2-118
  sale of assets, abandonment of transaction, 35-2-617
Contributions by, 35-2-118
County tax-deed land, donation, 7-8-2301
Court
  derivative proceedings, 35-2-1303 — 35-2-1306
  directors
    conflict of interest transactions, approval, 35-2-418
    removal, 35-2-423
  dissolution, 35-2-728 — 35-2-731
  indemnification, order for, 35-2-450, 35-2-452
  meetings of members
    adjournment, order for, 35-2-532
    list of members, order for inspection and copying, 35-2-535
  meetings, order for, 35-2-130, 35-2-528
  merger, approval and consent, 35-2-609
  private foundations, determination, 35-2-127
  records, inspection or production, 35-2-535, 35-2-907, 35-2-909
  reorganization proceedings, 35-2-227
  vote, consent, waiver, or proxy appointment — action based on acceptance or rejection, determination of validity, 35-2-542
Creditors
  action against member, 35-2-518
  dissolution
    custodian, powers, 35-2-730
    deposit for unlocatable creditors, 35-2-732
    payment upon, 35-2-720, 35-2-721
    proceedings, 35-2-728
Damages
  directors, breach of duty, 35-2-213
  falsification of documents, 35-2-120
  vote, consent, waiver, or proxy appointment — acceptance or rejection, liability, 35-2-542
Debt adjustment by, 31-3-203
Definitions, 27-1-732, 35-2-114, 35-2-418, 35-2-446, 35-2-726, 35-2-1301
Delegates, 35-2-114, 35-2-130, 35-2-524, 35-2-541
Demand on, 35-2-314, 35-2-315
  derivative proceedings, 35-2-1302, 35-2-1303
  list of members, inspection and copying, 35-2-535
  meetings of members, special, 35-2-527, 35-2-528
  records, inspection, 35-2-907 — 35-2-909
Designation of status, 35-2-126, 35-2-133
Developmentally disabled persons
  community homes for, 53-20-302

NONPROFIT CORPORATIONS (Continued)
Developmentally disabled persons (Continued)

- nursing home facilities, contracts for, 53-20-504

Directors, board of, 35-2-114, 35-2-213, 35-2-414, 35-2-416, 35-2-446
- abuse of authority, 35-2-423
- action without meeting, 35-2-428, 35-2-433, 35-2-906, 35-2-907
- additional, designation, 35-2-218
- annual report, statement in, 35-2-904
- appointment, 35-2-114, 35-2-118, 35-2-417, 35-2-419, 35-2-422, 35-2-424, 35-2-433
- articles of incorporation
  - amendment, 35-2-222, 35-2-223, 35-2-225, 35-2-227, 35-2-233
  - designation in, 35-2-114
  - restatement, 35-2-226
  - statement in, 35-2-213
- benefit plans, 35-2-118
- breach of duty, 35-2-213
- bylaws
  - adoption by, 35-2-216 — 35-2-218
  - amendment, 35-2-229, 35-2-230, 35-2-233
  - designation in, 35-2-114
  - emergency bylaws, 35-2-218
- certificate of authority, application — inclusion, 35-2-822
- committees, 35-2-416, 35-2-418, 35-2-433, 35-2-451, 35-2-906, 35-2-907, 35-2-1304
- compensation, 35-2-118, 35-2-425
- composition, 35-2-223, 35-2-230, 35-2-415
- conflict of interest, 35-2-213, 35-2-418, 35-2-423
- deadlock, 35-2-728
- derivative proceedings, 35-2-1301 — 35-2-1307
- designation, 35-2-218, 35-2-417, 35-2-419, 35-2-422, 35-2-424
- dissolution
  - approval, 35-2-720, 35-2-721, 35-2-723
  - custodian, powers, 35-2-730
  - effect, 35-2-725
  - proceedings, 35-2-728, 35-2-729
  - revocation, 35-2-724
  - survival of remedy, right, or claim, 35-2-727
- distributions
  - to, 35-2-114
  - unlawful, by, 35-2-213, 35-2-423, 35-2-436
- election, 35-2-114, 35-2-118, 35-2-216, 35-2-223, 35-2-230, 35-2-416, 35-2-419, 35-2-421, 35-2-424, 35-2-433, 35-2-540, 35-2-541, 35-2-728, 35-2-1304
- falsification of documents, 35-2-832
- fictitious name, adoption — resolution for, 35-2-826
- fraudulent conduct, 35-2-423, 35-2-728
- guaranties for, 35-2-213, 35-2-423, 35-2-435
- indemnification, 35-2-446 — 35-2-454, 35-2-912
- initial directors, 35-2-213, 35-2-216, 35-2-222, 35-2-417
- insurance, 35-2-453
- liability, 27-1-732, 35-2-213, 35-2-218, 35-2-416, 35-2-418, 35-2-436, 35-2-446, 35-2-447, 35-2-450, 35-2-453
- list, 35-2-906
- loans to, 35-2-213, 35-2-423, 35-2-435
- meetings, See **Meetings of directors**
- meetings of members, special — call, 35-2-527
- members
  - admission, consideration determined by, 35-2-511
  - dues, assessments, and fees, 35-2-118, 35-2-517

NONPROFIT CORPORATIONS (Continued)
Directors, board of (Continued)
- members (Continued)
  - list, consent for use, 35-2-910
  - quorum requirements, approval, 35-2-537
  - resolutions relating to, 35-2-906
- merger, approval, 35-2-609 — 35-2-611
- misconduct, 35-2-213
- notice to, 35-2-429, 35-2-430, 35-2-433
- number, 35-2-223, 35-2-230, 35-2-415, 35-2-419, 35-2-421, 35-2-424
- officers — duties, removal, and vacancies, 35-2-440, 35-2-442
- qualifications, 35-2-415
- quorum, 35-2-218, 35-2-418, 35-2-424, 35-2-431, 35-2-433, 35-2-451, 35-2-725, 35-2-1304
- removal
  - appointed directors, 35-2-422
  - committees, no authority, 35-2-433
  - designated directors, 35-2-422
  - directors, by, 35-2-421, 35-2-429
  - dissolution, effect, 35-2-725
  - judicial proceeding, by, 35-2-423
  - members, by, 35-2-421, 35-2-540
- resignation, 35-2-420, 35-2-424, 35-2-725
- sale of assets, 35-2-616, 35-2-617
- secretary, delegation of responsibility, 35-2-114
- service of process, 35-2-314; Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- standards of conduct, 35-2-416, 35-2-423, 35-2-433, 35-2-436, 35-2-447, 35-2-449 — 35-2-451, 35-2-725
- substitute, designation, 35-2-218
- terms, 35-2-223, 35-2-230, 35-2-419, 35-2-421, 35-2-728
- trustees, as, 35-2-416, 35-2-418
- ultra vires acts, 35-2-132
- vacancies, 35-2-419 — 35-2-421, 35-2-424, 35-2-433
- violations, 35-2-213, 35-2-423
- votes, court order to obtain, 35-2-130
- voting requirements, 35-2-223, 35-2-225, 35-2-230, 35-2-418, 35-2-421, 35-2-424, 35-2-430, 35-2-431, 35-2-433, 35-2-436, 35-2-451, 35-2-610, 35-2-616, 35-2-617, 35-2-721, 35-2-723, 35-2-725
- waiver of notice, 35-2-429, 35-2-430, 35-2-433
- witnesses, as, 35-2-454

Dissolution
- approval, 35-2-720 — 35-2-723
- articles of dissolution, 35-2-720, 35-2-722 — 35-2-724, 35-2-1112
- articles of revocation of dissolution, 35-2-724
- arts organization, special beer and table wine license — effect on, 16-4-303
- attorney general, by, 35-2-728
- certificate of authority, revocation — grounds, 35-2-832
- claims against
  - known, 35-2-726, 35-2-731
  - unknown, 35-2-727, 35-2-731
  - unlocatable claimants, deposits for, 35-2-732
- committees, no authority, 35-2-433
- consent, 35-2-722
- creditors, by, 35-2-728
- custodian pendente lite, appointment and authority, 35-2-729, 35-2-730
- decree, 35-2-731
- deposits for unlocatable creditors, claimants, or members, 35-2-732
- directors, by, 35-2-720, 35-2-721, 35-2-728

NONPROFIT CORPORATIONS (Continued)
Dissolution (Continued)
- distribution of assets
    - articles of incorporation, provisions in, 35-2-213
    - authorization, 35-2-1402
    - lack of provisions for, procedure, 35-2-725
    - list of persons receiving, 35-2-722
    - merger, applicability, 35-2-609
    - plan for, 35-2-720, 35-2-721
    - public benefit corporation, to, 35-2-133
    - time for, 35-2-722
- effect, 35-2-725
- effective date, 35-2-723, 35-2-724, 35-2-731
- incorporators, by, 35-2-720
- injunction, 35-2-729
- involuntary
    - action for, 35-2-214, 35-2-729
    - grounds, 35-6-102
    - procedure, See **CORPORATIONS**, **Dissolution**, involuntary
    - service of process, 35-2-314
- judicial dissolution, 35-2-728 — 35-2-731
- members
    - by, 35-2-721, 35-2-728
    - rights, 35-2-114, 35-2-224, 35-2-231, 35-2-513
- notice, 35-2-720 — 35-2-722, 35-2-726, 35-2-729
- plan of, 35-2-720, 35-2-721
- receiver, appointment and authority, 35-2-314, 35-2-729, 35-2-730
- revocation, 35-2-724
- service of process, 35-2-314
- survival of remedy, right, or claim, 35-2-727
- third persons, by, 35-2-721
- trustee's authority, 35-2-314
- venue, 35-2-729
- voluntary, court supervision, 35-2-728
- votes, court order for, 35-2-130

Distributions, 35-2-114
- assets, See **Dissolution**, distribution of assets
- authorized, 35-2-1402
- committees, no authority, 35-2-433
- directors, unlawful, 35-2-423, 35-2-436
- prohibited, 35-2-1401

Ditch company employees, immunity and indemnification, 27-1-731
Dividends, See **Distributions**
Documents generally
- correction of filed document, 35-2-122, 35-2-904
- effective date, 35-2-121, 35-2-122
- english language, to be in, 35-2-119
- execution, 35-2-119, 35-2-122, 35-2-123, 35-2-444
- falsification, 35-2-120, 35-2-123, 35-2-832
- fees, 35-2-1003
- filing requirements, 35-2-119, 35-2-1109
- form, 35-2-119, 35-2-1108

Donations
- by, 35-2-118, 35-3-205
- to, effect of merger, 35-2-614

Elderly persons, activities for — local government funding, 7-16-101
Emergency bylaws and powers, 35-2-218

NONPROFIT CORPORATIONS (Continued)

Employees, 35-2-114, 35-2-118
  indemnification, 35-2-446, 35-2-452
  information provided by, 35-2-416, 35-2-441
  insurance, 35-2-453
  liability, 27-1-732, 35-2-218, 35-2-453
  lawful product use during nonworking hours, limitation not discrimination when, 39-2-313
  minimum wage and overtime compensation exclusions for volunteers, 39-3-406
  minors as, exemptions, 41-3-104
  orders obtained by, transaction of business exclusion, 35-2-820
  surviving corporation, 35-2-609
  ultra vires acts, 35-2-132
  unemployment insurance coverage, See **UNEMPLOYMENT INSURANCE, Nonprofit organizations**
Equine activities, liability, 27-1-725 — 27-1-728
Existence
  certificate of, 35-2-822, 35-2-1108, 35-2-1112
  commencement, 35-2-214
  dissolved corporation, continuation, 35-2-725
  expiration, 35-2-727
  extension, 35-2-222
  merger, effect, 35-2-612
  period of, change, 35-2-823
  perpetual, 35-2-118
Facsimile
  agent, registered — notice of address change, 35-2-310, 35-2-828
  copies of documents, 35-2-120, 35-2-1003
  notices, communication, 35-2-115
  seal, 35-2-118
Farm animal and research facilities protection, Title 81, chapter 30, part 1
Federal tax laws, 35-2-127
Fees
  certificate of existence, statement of payment, 35-2-1112
  certificates, issuance, 35-2-1003
  cost, to correlate to, 35-2-1003
  establishment, 35-2-1003, 35-2-1107
  filing, 35-2-119, 35-2-1003, 35-2-1109
  license, 35-2-119
  records, copies, 35-2-908
  transfer fees, 35-2-118
Fictitious name, 35-2-305, 35-2-306, 35-2-826, See **ASSUMED OR FICTITIOUS NAMES**
Fiduciary
  documents, execution, 35-2-119
  members, as, 35-2-542
Filing, 35-2-114, 35-2-119
  agent, registered
    change, 35-2-222, 35-2-310, 35-2-828
    resignation, statement of, 35-2-311, 35-2-829
  annual report, 35-2-114, 35-2-904, 35-2-1112
  articles of amendment, 35-2-225, 35-2-227
  articles of dissolution, 35-2-720, 35-2-722, 35-2-723
  articles of incorporation, 35-2-212, 35-2-214
  articles of merger, 35-2-611
  articles of restatement, 35-2-226
  articles of revocation of dissolution, 35-2-724

NONPROFIT CORPORATIONS (Continued)
Filing (Continued)

- certificate of authority
  - application, 35-2-822
  - revocation, certificate of, 35-2-833
- certificate of existence, 35-2-822
- certificate of withdrawal, application, 35-2-831
- consent described as vote in documents, 35-2-529
- correction of filed document, 35-2-122
- dissolution
  - decree, 35-2-731
  - service of process, trustees for, 35-2-314
- duty of secretary of state, 35-2-1109
- effective date, 35-2-121
- endorsement, 35-2-121, 35-2-1109
- evidentiary effect of copies, 35-2-1111
- facsimile copies of documents, 35-2-120
- failure to file required documents, 35-2-832
- falsification, 35-2-120, 35-2-123, 35-2-832
- fees, 35-2-119, 35-2-1003, 35-2-1109
- form, 35-2-123, 35-2-1108
- name
  - fictitious, resolution of adoption, 35-2-826
  - registration, application and renewal application, 35-2-307
  - reserved, application, 35-2-306
- office, registered — change, 35-2-222, 35-2-310, 35-2-828
- receipt, 35-2-1109
- refusal by secretary of state, 35-2-1109, 35-2-1110

Financial statements, availability to members, 35-2-906, 35-2-911
Foreign corporations

- certificate of authority, 35-2-820, 35-2-821
  - amended, 35-2-823, 35-2-826
  - application, 35-2-115, 35-2-822, 35-2-1108
  - effect, 35-2-824
  - failure to obtain, 35-2-821
  - name, requirements, 35-2-826
  - reinstatement, 35-2-834
  - revocation, 35-2-832 — 35-2-834
- certificate of existence, 35-2-822, 35-2-1108, 35-2-1112
- certificate of revocation, 35-2-833, 35-2-834
- certificate of withdrawal, 35-2-831, 35-2-1108
- restrictions generally, 35-2-824
- withdrawal, 35-2-831, 35-2-1108

Franchise or franchise tax, 35-2-118, 35-2-119, 35-2-832
Fraud

- articles of incorporation obtained by, 35-2-728
- directors, board of, 35-2-423, 35-2-728

Good will, 35-2-609, 35-2-617
Guarantee by, 35-2-118, 35-2-213, 35-2-423, 35-2-435
Guaranteed student loan program, to administer, 17-5-1302, 17-5-1312
Guardian of incapacitated person, as, 72-5-312
Health service corporations to be, 33-30-101
Historic properties, local management, 22-3-602, 22-3-603
Housing development sponsor, as, 90-6-103,
Impairment, See **Dissolution**
Income

- distribution, 35-2-114

NONPROFIT CORPORATIONS (Continued)
Income (Continued)

- security for obligations, 35-2-118

Incorporation, 35-2-117, 35-2-214, See also **Articles of incorporation**; **Bylaws**; **Dissolution**
Incorporators, 35-2-212
- articles of incorporation, amendment or statement in, 35-2-213, 35-2-222, 35-2-225
- bylaws, adoption or amendment, 35-2-217, 35-2-229
- conditions precedent to incorporation, proof of satisfaction, 35-2-214
- directors, election, 35-2-114, 35-2-216
- dissolution, approval or revocation, 35-2-720, 35-2-723, 35-2-724
- documents
  - execution, 35-2-119
  - falsification, 35-2-832
- organizational meeting, 35-2-216

Indebtedness, 35-2-118, 35-2-516, 35-2-518, 35-2-616, 35-2-820, 35-2-1402
Indemnification, 35-2-446 — 35-2-454, 35-2-912
Information lists, 2-6-109, 2-15-403
Injunctions, 35-2-131, 35-2-132, 35-2-729
Insolvency, 35-2-728, See also **Dissolution**
Insurance, 35-2-453
In-state investment fund loans or bonds, applications, 17-6-308
Interstate commerce, transaction of business exclusion, 35-2-820
Investments, 35-2-118
Irrigation ditch company employees, immunity and indemnification, 27-1-731
Leases, power generally, 35-2-118, 35-2-616, 35-2-617
Legislative reservation of power, 35-2-116
Liabilities
- agents, 35-2-218
- articles of incorporation, statement in, 35-2-213
- directors, 27-1-732, 35-2-213, 35-2-218, 35-2-416, 35-2-418, 35-2-436
- dissolution, effect, 35-2-725, 35-2-727
- distributions, unlawful, 35-2-436
- emergency bylaws, imposition by — prohibited, 35-2-218
- employees, 27-1-732, 35-2-218
- financial statement, 35-2-911
- foreign corporations, 35-2-824
  - certificate of authority, failure to obtain, 35-2-821
- indemnification, 35-2-446 — 35-2-454
- insurance, 35-2-453
- loans, borrower's liability, 35-2-435
- members, 35-2-516 — 35-2-518, 35-2-520, 35-2-727
- merger, upon, 35-2-612
- officers, 27-1-732, 35-2-218, 35-2-441
- ostensible corporations, 35-3-102
- power to incur, 35-2-118
- preincorporation transactions, 35-2-215
- purchase of memberships when, 35-2-1402
- volunteers, 27-1-732
- vote, consent, waiver, or proxy appointment — acceptance or rejection, 35-2-542

Libraries operated by private educational or research institutions, interlibrary loan reimbursement, 22-1-328
License fee, 35-2-119
Limitations, 35-2-117, 35-2-228
Liquidation
- arts organization, special beer and table wine license — effect on, 16-4-303
- dissolution, upon, 35-2-725, 35-2-727, 35-2-730, 35-2-731

NONPROFIT CORPORATIONS (Continued)

Loans by, 35-2-118, 35-2-213, 35-2-423, 35-2-435
Mausoleum and columbarium authorities, Title 35, chapter 21
Meetings for dissolution, 35-2-720
Meetings of delegates, 35-2-130, 35-2-524
Meetings of directors
  action without, 35-2-428, 35-2-433, 35-2-906, 35-2-907
  articles of incorporation, amendment, 35-2-222
  attendance, 35-2-421, 35-2-430
  bylaws, amendment, 35-2-229
  call for, 35-2-429
  committees, authority, 35-2-433
  court order for, 35-2-130
  derivative proceedings, dismissal — determination, 35-2-1304
  dissolution, for, 35-2-721
  emergency, 35-2-218
  merger, for, 35-2-610
  minutes, 35-2-114, 35-2-428, 35-2-430, 35-2-439, 35-2-906, 35-2-907
  notice, 35-2-222, 35-2-229, 35-2-429, 35-2-430, 35-2-610, 35-2-617, 35-2-721
  organizational meeting, 35-2-216
  participation, 35-2-427, 35-2-430
  petition for, 35-2-130
  quorum, 35-2-130, 35-2-218
  regular, 35-2-427, 35-2-429
  sale of assets, for, 35-2-617
  special, 35-2-427
  subject matter, limitation, 35-2-130
  transaction of business, exclusion, 35-2-820
  voting, 35-2-130, 35-2-428, 35-2-430, 35-2-1304
Meetings of members
  action without, 35-2-529, 35-2-533, 35-2-906, 35-2-907
  adjournment, 35-2-530, 35-2-532, 35-2-535
  annual, 35-2-417, 35-2-526, 35-2-528, 35-2-530, 35-2-533, 35-2-537, 35-2-728
  articles of incorporation
    amendment, 35-2-223
    restatement, 35-2-226
  attendance, 35-2-531, 35-2-539
  bylaws, amendment, 35-2-230
  conference telephone calls, 35-2-526
  court order for, 35-2-130, 35-2-528
  demand for, 35-2-527, 35-2-528
  directors
    election, 35-2-417, 35-2-728
    removal, 35-2-421
  dissolution, for, 35-2-721
  failure to hold, 35-2-526
  list of members, 35-2-535
  merger, for, 35-2-610
  minutes, 35-2-114, 35-2-439, 35-2-529, 35-2-906, 35-2-907
  notice, 35-2-223, 35-2-226, 35-2-230, 35-2-421, 35-2-526 — 35-2-528, 35-2-530, 35-2-532, 35-2-533, 35-2-537, 35-2-610, 35-2-617, 35-2-721, 35-2-912, 72-34-326
  participation, 35-2-526, 35-2-528
  petition for, 35-2-130
  place, 35-2-527, 35-2-528, 35-2-530
  quorum, 35-2-114, 35-2-130, 35-2-528, 35-2-533, 35-2-537, 35-2-538
  regular, 35-2-526, 35-2-528, 35-2-530, 35-2-533, 35-2-537

NONPROFIT CORPORATIONS (Continued)
Meetings of members (Continued)

- sale of assets, 35-2-617
- special, 35-2-527, 35-2-528, 35-2-530, 35-2-533
- subject matter, limitation, 35-2-130
- time, 35-2-528, 35-2-530
- transaction of business, exclusion, 35-2-820
- trustee's authority, 72-34-326
- voting, 35-2-130, 35-2-528, 35-2-532, 35-2-538, 35-2-540, 72-34-326, See also **Members and membership**

Members and membership, 35-2-114

- action without meeting, 35-2-529, 35-2-533, 35-2-906, 35-2-907
- admission, 35-2-118, 35-2-510, 35-2-511
- agent or attorney for, inspections of member lists or records, 35-2-908, 35-2-535
- articles of incorporation
    - amendment, approval, 35-2-222 — 35-2-227, 35-2-233
    - restatement, approval, 35-2-226
    - statement in, 35-2-213
- assessments, 35-2-118, 35-2-517, 35-2-520
- bylaws, amendment, 35-2-230, 35-2-233, 35-2-537, 35-2-538
- cancellation, 35-2-233
- classes, 35-2-114
    - bylaws, amendment, 35-2-230, 35-2-231
    - derivative proceedings, 35-2-1301 — 35-2-1307
    - directors
        - election, 35-2-114, 35-2-421
        - removal, 35-2-421, 35-2-423
        - vacancies, filling, 35-2-424
    - division, 35-2-224, 35-2-231
    - list of members, 35-2-906
    - new class, 35-2-224, 35-2-231
    - powers, 35-2-213
    - rights and obligations, 35-2-114, 35-2-213, 35-2-231, 35-2-513
    - termination, 35-2-233
    - voting power, 35-2-114, 35-2-423
    - voting requirements, 35-2-223 — 35-2-225, 35-2-230, 35-2-231, 35-2-233, 35-2-421, 35-2-424, 35-2-538, 35-2-610, 35-2-611, 35-2-617, 35-2-723, 35-2-906
- consent
    - acceptance or rejection, 35-2-542
    - action without meeting, for, 35-2-529
- conversion of memberships upon merger, 35-2-608
- cotenants, as, 35-2-542
- creditor's action against, 35-2-518
- deadlock, 35-2-728
- death, 35-2-539
- delegates, authority as, 35-2-524
- derivative proceedings, 35-2-132, 35-2-1301 — 35-2-1307
- directors
    - conflict of interest transactions, 35-2-418
    - deadlock, 35-2-728
    - election, 35-2-114, 35-2-419, 35-2-540, 35-2-541, 35-2-728
    - removal, 35-2-421, 35-2-423, 35-2-540
    - vacancies, filling, 35-2-424
- dissolution
    - approval, 35-2-721, 35-2-723
    - deposit for unlocatable member, 35-2-732
    - effect, 35-2-725

NONPROFIT CORPORATIONS (Continued)
Members and membership (Continued)
  dissolution (Continued)
    proceedings, 35-2-728, 35-2-729
    revocation, 35-2-724
    rights, 35-2-114
    survival of remedy, right, or claim, 35-2-727
  distributions to, 35-2-114, 35-2-725, 35-2-727
  dues, 35-2-118, 35-2-517, 35-2-520
  exchange, 35-2-224, 35-2-231
  expulsion, 35-2-520
  fees, 35-2-118, 35-2-517, 35-2-520
  fiduciaries, as, 35-2-542
  financial statements, availability, 35-2-906, 35-2-911
  hearings, 35-2-520
  incapacity, 35-2-539
  indemnification, determination and report to, 35-2-451, 35-2-454, 35-2-912
  inspection of list or records, 35-2-535, 35-2-907 — 35-2-909
  issuance of memberships, 35-2-118
  liability, 35-2-516 — 35-2-518, 35-2-520, 35-2-727
  list, 35-2-535, 35-2-906 — 35-2-908, 35-2-910
  meetings, See **Meetings of members**
  merger, approval and effect, 35-2-609 — 35-2-611
  not required, 35-2-512
  notice to, 35-2-115, 35-2-529, 35-2-531
  number, 35-2-224, 35-2-231
  offices, transaction of business, 35-2-820
  powers, 35-2-213
  proxy, 35-2-537, 35-2-539, 35-2-542, 72-34-326
  purchase of memberships, 35-2-522, 35-2-1402
  qualifications, 35-2-906
  quorum, 35-2-114, 35-2-418, 35-2-537, 35-2-538, 35-2-725
  reclassification, 35-2-224, 35-2-231
  record date, 35-2-114
    action without meeting, 35-2-529
    adjourned meeting, 35-2-530, 35-2-532
    determination, 35-2-532, 35-2-535
    meetings of members
      determination of members entitled to notice and to vote, 35-2-528, 35-2-532
      special, demand for, 35-2-527
  record of members, 35-2-115, 35-2-542, 35-2-906
  redemption, 35-2-114, 35-2-224, 35-2-231, 35-2-233, 35-2-513
  resignation, 35-2-519, 35-2-522
  rights and obligations, 35-2-114, 35-2-213, 35-2-228, 35-2-231, 35-2-513, 35-2-532, 35-2-535, 35-2-906, 35-2-907, 35-2-909
  sale of assets, approval, 35-2-616, 35-2-617
  surviving corporation, 35-2-609
  suspension, 35-2-520
  termination, 35-2-224, 35-2-231, 35-2-233, 35-2-520, 35-2-522
  transfer of memberships, 35-2-114, 35-2-118, 35-2-224, 35-2-231, 35-2-513, 35-2-514
  trustee's authority, 72-34-326
  votes, 35-2-114
    acceptance or rejection, 35-2-542
    court order to obtain, 35-2-130
    list of members, 35-2-535, 35-2-910
    solicitation, 35-2-910
  voting agreements, 35-2-543
  voting entitlement generally, 35-2-536

NONPROFIT CORPORATIONS (Continued)
Members and membership (Continued)

- voting power, 35-2-114, 35-2-230, 35-2-233, 35-2-418, 35-2-423, 35-2-529, 35-2-537, 35-2-610, 35-2-617, 35-2-721, 35-2-728, 35-2-1301
- voting requirements, 35-2-223, 35-2-225, 35-2-230, 35-2-233, 35-2-418, 35-2-421, 35-2-424, 35-2-526, 35-2-532, 35-2-533, 35-2-538, 35-2-540, 35-2-610, 35-2-617, 35-2-721, 35-2-723, 35-2-725, 35-2-906
- voting rights, 35-2-114, 35-2-224, 35-2-231, 35-2-513, 72-34-326
- waiver, 35-2-531, 35-2-542
- written ballot or consent, 35-2-533
  - action by, 35-2-533
  - action without meeting, 35-2-529
  - approved by the members, 35-2-114
  - articles of incorporation, amendment or restatement, 35-2-223, 35-2-226
  - bylaws, amendment, 35-2-230
  - directors, removal, 35-2-540
  - dissolution, approval, 35-2-721
  - merger, approval, 35-2-610
  - order for authorization, 35-2-130
  - sale of assets, 35-2-617
  - vote, 35-2-114

Mental health corporations, 53-21-203, 53-21-204, 53-21-206
Merger
- abandonment, 35-2-610
- approval, 35-2-608 —- 35-2-611
- articles of merger, 35-2-114, 35-2-610, 35-2-611
- bequests, devises, and gifts — effect on, 35-2-614
- certificate of authority, revocation — grounds, 35-2-832
- committees, no authority, 35-2-433
- effect, 35-2-609, 35-2-612, 35-2-614
- effective date, 35-2-609
- foreign corporations, with, 35-2-613
- limitations, 35-2-609
- name, effect, 35-2-305, 35-2-826
- notice, 35-2-609, 35-2-610
- plan, 35-2-608 — 35-2-612
- votes, court order for, 35-2-130

Microbusiness development, Title 17, chapter 6, part 4
Minimum wage exclusions, 39-3-406
Modification of laws, 35-2-116
Mortgages, power generally, 35-2-118, 35-2-616, 35-2-820
Museums, 22-3-503
Mutual benefit corporations
- articles of incorporation, amendment or statement in, 35-2-213, 35-2-224
- bylaws, amendment, 35-2-231, 35-2-233
- certificate of authority, application — statement in, 35-2-822
- conflict of interest transactions of directors, 35-2-418
- consent, acceptance or rejection, 35-2-542
- definitions, 35-2-114
- derivative proceedings, 35-2-1302
- designation as, 35-2-126, 35-2-133, 35-2-823
- dissolution, 35-2-725, 35-2-728, 35-2-730
- indemnification, determination, 35-2-451
- members, 35-2-514, 35-2-520, 35-2-522, 35-2-1402
- merger, 35-2-608
- proxy appointment, vote, or waiver — acceptance or rejection, 35-2-542

NONPROFIT CORPORATIONS (Continued)

Name, 35-2-115, 35-2-305, 35-2-826
    actions in, 35-2-118, 35-2-228, 35-2-725, 35-2-727
    adjudication, 35-2-826
    agent, registered — inclusion in statement of change, 35-2-310, 35-2-828
    annual report, statement in, 35-2-904
    articles of amendment, statement in, 35-2-225, 35-2-227
    articles of dissolution, statement in, 35-2-723
    articles of incorporation
        amendment, effect, 35-2-228
        statement in, 35-2-213
    articles of restatement, statement in, 35-2-226
    articles of revocation of dissolution, statement in, 35-2-724
    assumed business name, 35-2-305, 35-2-826, See **ASSUMED OR FICTITIOUS NAMES**
    certificate of authority, application — inclusion, 35-2-822
    certificate of existence, statement in, 35-2-1112
    certificate of withdrawal, statement in, 35-2-831
    change, 27-31-102, 35-2-222, 35-2-228, 35-2-822, 35-2-826
    dissolution, period of distinguishability, 35-2-305
    distinguishability, 35-2-305, 35-2-826
    english language requirement, 35-2-119
    exclusivity, 35-1-308, 35-1-1031, 35-2-305, 35-2-306, 35-2-826
    existence in, perpetual, 35-2-118
    fictitious name, 35-2-305, 35-2-306, 35-2-826, See **ASSUMED OR FICTITIOUS NAMES**
    merger, plan of — inclusion, 35-2-608
    office, registered — inclusion in statement of change, 35-2-310, 35-2-828
    purpose, correlation to, 35-2-305
    registered, 35-2-305, 35-2-307, 35-2-826
    reserved name, 35-2-305 — 35-2-307, 35-2-826
    tax list, inclusion, 15-31-603
Notes, issuance, 35-2-118
Notices, 35-2-114
    adjourned meeting, 35-2-530
    agent, registered — address change, 35-2-310, 35-2-828
    annual report, noncompliance, 35-2-904
    articles of incorporation
        amendment, 35-2-222, 35-2-223, 35-2-233
        restatement, 35-2-226
    attorney general, to, 35-2-131, 35-2-423, 35-2-451, 35-2-609, 35-2-617, 35-2-722, 35-2-723, 35-2-729, 35-2-1302
    bylaws, amendment, 35-2-229, 35-2-230, 35-2-233
    certificate of authority, revocation, 35-2-833
    committees, applicability, 35-2-433
    communicated how, 35-2-115
    constructive notice, 35-2-120
    corporation, to — requirements, 35-2-315
    defective, 35-2-520, 35-2-531
    derivative proceedings, 35-2-1302, 35-2-1306
    directors
        removal, 35-2-421, 35-2-422, 35-2-429
        resignation, 35-2-420
    dissolution, 35-2-720 — 35-2-723, 35-2-729
        claimants, to, 35-2-726, 35-2-731
        receiver or custodian, prior to appointment, 35-2-730
    effective date, 35-2-114, 35-2-115
    facsimile copy, recorded — constructive notice when, 35-2-120

NONPROFIT CORPORATIONS (Continued)
Notices (Continued)

- indemnification
  - attorney general, to, 35-2-451
  - court order, 35-2-450
- lack of, objection, 35-2-430, 35-2-531
- meetings for dissolution, 35-2-720, 35-2-721
- meetings of delegates, 35-2-130, 35-2-524
- meetings of directors, 35-2-130, 35-2-222, 35-2-229, 35-2-429, 35-2-610, 35-2-617, 35-2-721
- meetings of members, 35-2-130, 35-2-223, 35-2-226, 35-2-230, 35-2-421, 35-2-526 — 35-2-528, 35-2-530, 35-2-532, 35-2-533, 35-2-537, 35-2-610, 35-2-617, 35-2-721, 35-2-912, 72-34-326
  - cumulative voting, 35-2-540
- members
  - action without meeting, approval, 35-2-529
  - death or incapacity, of, 35-2-539
  - termination, expulsion, or suspension, 35-2-520
- merger, 35-2-609, 35-2-610
- name, reserved — transfer, 35-2-306
- officers, resignation, 35-2-442
- oral notice, 35-2-115
- records, inspection, 35-2-907
- redemption or cancellation of memberships, 35-2-233
- sale of assets, 35-2-617
- service of process, mailing address — change, 35-2-831
- termination of members, 35-2-233
- waiver, 35-2-429, 35-2-430, 35-2-433, 35-2-531, 72-34-326
- writing required, 35-2-115

Nursing homes as, 53-21-402
Officers, 35-2-118, 35-2-439, 35-2-440

- annual report, statement in, 35-2-314, 35-2-904
- appointment, 35-2-118, 35-2-216
- certificate of authority, application — inclusion, 35-2-822
- consent, acceptance or rejection, 35-2-542
- contract rights, 35-2-443
- directors
  - conflict of interest transactions, 35-2-418
  - removal, notice, 35-2-422
  - resignation, notice, 35-2-420
- dissolution
  - custodian, power, 35-2-730
  - effect, 35-2-725, 35-2-727
- distribution to, 35-2-114
- documents
  - execution, 35-2-119, 35-2-444
  - falsification, 35-2-832
- guaranties for, 35-2-435
- indemnification, 35-2-446, 35-2-452
- information provided by, 35-2-416, 35-2-441
- liability, 27-1-732, 35-2-218, 35-2-441, 35-2-453
- list, 35-2-906
- loans to, 35-2-435
- meetings, petition for, 35-2-130
- meetings of directors, notice to, 35-2-429
- meetings of members, special — demand delivered to, 35-2-527, 35-2-528
- member's death or incapacity, notice to, 35-2-539
- petition for meeting, 35-2-130

NONPROFIT CORPORATIONS (Continued)
Officers (Continued)

- proxy appointment
  - acceptance or rejection, 35-2-542
  - receipt or revocation, 35-2-539
- removal, 35-2-442, 35-2-443, 35-2-725
- resignation, 35-2-442, 35-2-443, 35-2-725
- secretary, See **Secretary**
- service of process, 35-2-314; Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- standards of conduct, 35-2-441, 35-2-725
- surviving corporation, 35-2-609
- ultra vires acts, 35-2-132
- vacancies, 35-2-442
- vote or waiver, acceptance or rejection, 35-2-542

Offices, 35-1-113, 35-2-114
- agent, registered — resignation, 35-2-311, 35-2-829, 35-2-832
- annual report, designation in, 35-2-114, 35-2-115, 35-2-311, 35-2-314, 35-2-829, 35-2-904
- certificate of authority, application — inclusion, 35-2-822
- demand on corporation, procedure, 35-2-315
- directors, removal, 35-2-423
- dissolution proceedings, venue, 35-2-729
- list of members, inspection and copying, 35-2-535
- location, 35-2-118
- meetings of members
  - court order for, 35-2-528
  - held at, 35-2-526, 35-2-527
- notices to, 35-2-115, 35-2-315
- records, 35-2-906, 35-2-909
- registered, 35-2-309, 35-2-827
  - agent, registered — resignation, 35-2-311
  - articles of incorporation, statement in, 35-2-213
  - certificate of authority, application — inclusion, 35-2-822
  - change, statement of, 35-2-222, 35-2-310, 35-2-828, 35-2-832
  - directors, removal, 35-2-423
  - discontinuance, 35-2-311, 35-2-829, 35-2-832
  - dissolution proceedings, venue, 35-2-729
  - failure to have, 35-2-832
  - list of members, inspection and copying, 35-2-535
  - meetings, court order for, 35-2-130, 35-2-528
  - merger, approval by court, 35-2-609
  - notices to, 35-2-115
  - records, inspection, 35-2-909
- service of process, Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
- tax list, inclusion, 15-31-603
- transaction of business, 35-2-820

Overtime compensation exclusions, 39-3-406
Paddlefish roe as caviar — donations, processing, and marketing, 87-3-111, 87-4-601
Partnerships
- corporate power, 35-2-118
- "entity" defined, 35-2-114
- indemnification, 35-2-446, 35-2-453

Penalties, 35-2-119, 35-2-123, 35-2-821, 35-2-824, 35-2-832, 35-2-1112
Pensions, pension plans, and pension trusts, 35-2-118
Personal solicitation sales, identification exemption, 30-14-503
Pledges, power generally, 35-2-118, 35-2-616

NONPROFIT CORPORATIONS (Continued)

Power of attorney
  proxy appointment, 35-2-539, 35-2-542
  vote, consent, or waiver — acceptance or rejection, 35-2-542
Powers generally, 35-2-118
  articles of incorporation, statement in, 35-2-213
  directors, board of — exercised by, 35-2-414
  emergency, 35-2-218
  persons authorized to exercise, 35-2-414
Preincorporation transactions, liability, 35-2-215
Private foundations, 35-2-127
Profit, distribution, 35-2-114
Property, 35-2-118, 35-2-820
  articles of incorporation, amendment — effect, 35-2-228
  dissolution
    deposits for unlocatable creditors, claimants, or members, 35-2-732
    effect, 35-2-725
  list of members, solicitation by, 35-2-910
  merger, effect, 35-2-608, 35-2-612
  mortgage or pledge, 35-2-616
  sale or lease, 35-2-616, 35-2-617
  trustee, director may not be, 35-2-416
Proxy, 35-2-537, 35-2-539, 35-2-542, 72-34-326
Public benefit corporations
  articles of incorporation, amendment or statement in, 35-2-213, 35-2-223, 35-2-224
  bylaws, amendment, 35-2-230, 35-2-231, 35-2-233
  certificate of authority
    application, statement in, 35-2-822
    revocation, grounds, 35-2-832
  definitions, 35-2-114
  derivative proceedings, 35-2-1302
  designation as, 35-2-126, 35-2-133, 35-2-823
  directors, conflict of interest transactions or removal, 35-2-418, 35-2-423
  dissolution, 35-2-722, 35-2-723, 35-2-725, 35-2-728 — 35-2-730
  indemnification, time for, 35-2-451
  meetings, application for, 35-2-528
  members, 35-2-514, 35-2-520, 35-2-522, 35-2-543
  merger, 35-2-608, 35-2-609
  sale of assets, 35-2-617
  ultra vires acts, 35-2-132
Purposes, 35-2-117
  articles of incorporation, statement in, 35-2-213
  certificate of authority, application — inclusion, 35-2-822
  failure to carry out, 35-2-728, 35-2-832
  limitations, 35-2-117
  name to correlate, 35-2-305
  voting agreements consistent with, 35-2-543
Quo warranto, Title 27, chapter 28
Raffles, requirements, 23-5-413
Receiver
  dissolution, 35-2-314, 35-2-729, 35-2-730
  documents, execution, 35-2-119
  ultra vires acts, 35-2-132
  vote, consent, waiver, or proxy appointment — acceptance or rejection, 35-2-542
Record date, See **Members and membership**

NONPROFIT CORPORATIONS (Continued)

Records
  accounting, 35-2-906, 35-2-907
  arts organization, access to — for special beer and table wine license determination, 16-4-303
  authentication, 35-2-114, 35-2-439
  committees, action taken by, 35-2-906, 35-2-907
  directors
    action without meeting, 35-2-906, 35-2-907
    minutes of meetings, 35-2-906, 35-2-907
  form, 35-2-906
  inspection by members, 35-2-535, 35-2-907 — 35-2-909
  members, 35-2-115, 35-2-535, 35-2-542, 35-2-906 — 35-2-909
  minutes filed with, 35-2-428
  offices, copies kept at, 35-2-906
  permanent, 35-2-906
  waivers of notice filed with, 35-2-430, 35-2-531
  written consents, filing, 35-2-529
  written form, 35-2-906
Recreational trails, for — railroad rights-of-way, 60-11-112
Religious corporations, 35-3-102, See also **RELIGIOUS CORPORATIONS SOLE**
  articles of incorporation, amendment or statement in, 35-2-213, 35-2-223, 35-2-224
  bylaws, amendment, 35-2-230, 35-2-231
  certificate of authority, application — statement in, 35-2-822
  constitutional protections, 35-2-128
  definitions, 35-2-114
  designation as, 35-2-126, 35-2-133, 35-2-823
  directors, 35-2-416, 35-2-418, 35-2-421, 35-2-423
  dissolution, 35-2-722, 35-2-723, 35-2-725, 35-2-728, 35-2-729
  meetings of members, special — demand, 35-2-527
  members, 35-2-514, 35-2-522, 35-2-535
  merger, 35-2-608, 35-2-609
  officers, information to, 35-2-441
  records, inspection — right to, 35-2-907
  sale of assets, 35-2-617
Reorganization
  judicial, 35-2-227
  name, effect, 35-2-305, 35-2-826
Repeal
  bylaws, 35-2-218, 35-2-433
  committees, no authority, 35-2-433
  legislative reservation of power, 35-2-116
Reports
  annual reports, See **Annual reports**
  indemnification, to members, 35-2-912
Representative assembly, 35-2-114
Research and farm animal facilities protection, Title 81, chapter 30, part 1
Rules, 35-2-119, 35-2-1003, 35-2-1107, 35-2-1108, See also **Bylaws**
Sales
  assets, 35-2-130, 35-2-433
    dissolution, 35-2-730
    in regular course of activities, 35-2-616
    other than in regular course of activities, 35-2-617
  list of members, 35-2-910
  transaction of business exclusion when, 35-2-820
Seal, 35-2-118, 35-2-119, 35-2-122

NONPROFIT CORPORATIONS (Continued)

Secretary, 35-2-114, 35-2-439
  consent, rejection, 35-2-542
  demand on corporation, procedure, 35-2-315
  directors, notices for removal or resignation, 35-2-420, 35-2-422
  documents, attestation or execution, 35-2-119, 35-2-444
  fictitious name, certificate of resolution for, 35-2-826
  meetings of members, notice of matters to be raised — requests, 35-2-530
  member's death or incapacity, notice to, 35-2-539
  notices to, 35-2-115, 35-2-315
  proxy appointment
    receipt or revocation, 35-2-539
    rejection, 35-2-542
  vote or waiver, rejection, 35-2-542
Securities, 35-2-118
  merger, conversion of memberships, 35-2-608
  offices, transaction of business, 35-2-820
  registration exemption, 30-10-104
Self designation, 35-2-126, 35-2-133
Self-sufficiency trusts, creation, 53-18-101
Service of process, 35-2-314, 35-2-613, 35-2-830, 35-2-831; Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
Shares, dealing in and prohibition on issuance, 35-2-118
Shelter care facilities for youth provided by, 41-5-802
Sheltered workshop providers, 18-5-101, 18-5-102, 53-7-202
Short title, 35-2-113
Signatures
  agent, registered
    address change, notice, 35-2-310, 35-2-828
    resignation, 35-2-829
  articles of incorporation, 35-2-213
  certificate of revocation, 35-2-833
  consent, on — acceptance or rejection, 35-2-542
  directors, action without meeting — written consents, 35-2-428
  documents
    execution, 35-2-119, 35-2-123, 35-2-444
    facsimile copies, 35-2-120
  incorporators, written consents for actions without meeting, 35-2-216
  name, reserved — notice of transfer, 35-2-306
  proxy appointment or revocation, 35-2-539
    acceptance or rejection, 35-2-542
  vote, on — acceptance or rejection, 35-2-542
  voting agreements, 35-2-543
  waiver
    acceptance or rejection, 35-2-542
    notice, of, 35-2-430
  written consents, 35-2-529
Sports or athletic events, training facilities — tax exemption, 15-6-201
Status, designation, 35-2-126, 35-2-133
Successor corporation, certificate of authority required, 35-2-821
Taxation, See **TAXATION, CORPORATIONS**
Trust or trustees, See **TRUSTS**
Ultra vires acts, 35-2-132, See also **QUO WARRANTO, WRIT OF**
Unemployment insurance coverage, See **UNEMPLOYMENT INSURANCE, Nonprofit organizations**
Utilities, rural cooperative, Title 35, chapter 18

NONPROFIT CORPORATIONS (Continued)

Violations
  directors, by, 35-2-213, 35-2-423
  distributions, liability, 35-2-436
  falsification of documents, 35-2-123
  loans or guaranties to officers and directors, 35-2-435
Volunteer employees
  liability, right of action abolished when, 27-1-732
  minimum wage and overtime compensation exclusions, 39-3-406
Wills, promises in — effect of merger, 35-2-614
Winding up, 35-2-725, 35-2-730, 35-2-731, See also **Dissolution**
Workers' compensation
  community participants coverage, 39-71-117, 39-71-118
  state fund, establishment as, 39-71-2313
Youth care facilities and services, See **YOUTH COURT, Nonprofit corporations**
Youth shelter care facilities provided by, 41-5-802
Youth voting program funding, formation for, 13-22-107

NONRESIDENT MOTORIST ACT, 25-3-601 — 25-3-604, 25-10-206

NONRESIDENTS
  See also **ALIENS; RESIDENCE**
Accidents, motor vehicle, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Accountants, certification or licensing, 37-50-309, 37-50-311, 37-50-312, 49-3-204
Actions involving
  depositions, attendance at, Title 25, chapter 20, M.R.Civ.P., Rule 45(d)
  foreign personal representative, capacity, 72-4-310
  jurisdiction over, See **LONG ARM STATUTES**
  security for costs, 25-10-601
  service of process, See **Service of process and papers on**
  statute of limitation, 27-2-104
Acupuncturists, admission to practice, 37-13-305
Adoption of hard-to-place children, eligibility for subsidy, 52-2-507
Aerial hunting permits, 81-7-503
Agricultural commodity licensing, 80-4-406
Aircraft
  licensing, exceptions, 67-3-102
  registration when, 67-3-201
Architects, licensing, 37-65-305, 49-3-204
Attorneys at law, practice in state when, 37-61-208
Auctioneers, 30-11-509
Barbers and barbering
  instructors, licensing, 37-30-311
  training programs, clinics, and seminars, 37-30-424
Big game hunters, state policy regarding, 87-3-303
Camping, See **CAMPING AND CAMPGROUNDS**
Child abuse and neglect records, disclosure to — when, 41-3-205
Child custody proceedings, witnesses in, 40-7-119
Chiropractors, admission to practice, 37-12-305
Cigarette wholesalers, subjobbers, or retailers — sales to, 16-11-132
Cities and towns, utility connections — notice of construction, 7-3-4443
"Citizens" defined, 1-1-402
City courts, venue — nonresident defendant, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A
Construction blasters, licensing, 37-72-305
Corporations
  dissenters, parties to proceedings, 35-1-838

NONRESIDENTS (Continued)
Corporations (Continued)

professional corporations, petitions for determination of fair value of shares upon death or disqualification of shareholder, 35-4-311
Cosmetologists, licensing, 37-31-306, 49-3-204
Counselors, professional — services rendered or licensing, 37-23-201, 37-23-204
County water and/or sewer district elections, vote by property owners, 7-13-2255
Custom combiners, motor vehicle fees, 15-70-311, 15-70-312, 61-10-130
Deaf and Blind, Montana School for the, 20-8-104, 20-8-107
Defined, 1-1-405, 61-1-313
Dental hygienists, admission to practice, 37-4-404
Dentists, licensing, 37-4-306
Denturists, licensing, 37-29-303, 37-29-312
Depositions, 40-7-119
Developmentally disabled persons, treatment in state facilities, 53-20-502
Disabled persons, parking privileges, 49-4-302
Dissolution of marriage or legal separation, residence requirements, 40-4-104
Drainage district petitioners, 85-8-112
Drivers' licenses, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Driving and drivers, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**, generally
Drug distribution, wholesale — licensing provisions, 37-7-605, See also **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES**
Economic development projects, contractors' qualifications, 17-5-1526, 17-5-1527
Electricians, licensing, 37-68-309, 49-3-204
Electrologists, licensing, 37-32-303, 49-3-204
Employment agencies and offices, jurisdiction, 39-5-406
Engineers, professional — licensing, 37-67-303, 37-67-312, 37-67-319, 37-67-320, 49-3-204
Estates and probate, See **ESTATES AND PROBATE, Nonresident** entries
Execution, exemptions, 25-13-613
Falconer's license, provision for, 49-3-204, 87-5-204
Firearms, purchase by, 45-8-342
Fishing, Title 87, chapter 2, See **FISH AND WILDLIFE**
Fleet vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS, Fleet vehicle registration**
Fraternal benefit societies, See **FRATERNAL BENEFIT SOCIETIES, Foreign or alien societies**
Fur dealers, licensing provisions, Title 87, chapter 4, part 3, See **FISH AND WILDLIFE, Fur farms**
Fur farm owners, 87-4-1003
Game animal farm licensees, 87-4-409
Game bird farm owners, 87-4-904
Gross vehicle weight fees, 61-10-211 — 61-10-214, See also **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Guardian for property of nonresident, 72-5-321
Hard-to-place children, eligibility of adoptive parents for subsidized adoption, 52-2-507
Health maintenance organizations, qualification for certificate of authority, 33-31-201
Hearing aid dispensers — admission to sell, dispense, and fit hearing aids, 37-16-406
Hunting, Title 87, chapter 2, See **FISH AND WILDLIFE**
aerial hunting permits, 81-7-503
Income tax, See **TAXATION, INDIVIDUAL INCOME**
Industrial development projects, labor provision, 90-5-114
Inheritance tax, See **TAXATION, ESTATES**
In-state investment projects, labor provisions, 17-6-309, 17-6-325
Instruments, proof of execution, 1-5-302
Insurance producers, as, See **INSURANCE PRODUCERS, ADJUSTERS, CONSULTANTS, AND ADMINISTRATORS**

NONRESIDENTS (Continued)

Insurers
  rehabilitation and liquidation proceedings, See **INSURERS SUPERVISION, REHABILITATION, AND LIQUIDATION**
  risk retention groups, 33-11-102, See **INSURANCE, CASUALTY**
Irrigation district proceedings, See **IRRIGATION DISTRICTS**
Junk vehicle disposal fees, exemption when, 61-3-508
Jurisdiction, See **LONG ARM STATUTES**
Justice's court, venue — nonresident defendant, Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 3A
Juvenile runaways, return of, Title 41, chapter 6, See **MINORS, Interstate Compact on Juveniles**
Landscape architects, licensing, 37-66-306, 49-3-204
Land surveyors, professional — licensing, 37-67-303, 37-67-313, 37-67-320, 49-3-204
Littering, See **LITTERING AND LITTER CONTROL**
Living wills, reciprocity, 50-9-111
Long arm statute, 25-3-601, See **LONG ARM STATUTES**
Marriage, laws regarding, 40-1-201, 40-1-205, See also **MARRIAGE**
Medal of Valor, Montana — awarding, 1-1-515
Mentally ill persons, commitment in Montana, 53-21-134, See also **MENTAL ILLNESS OR INCAPACITY, Interstate Compact on Mental Health**
Minors, transfers to, 72-26-503
Mining operations, wage claims against, 39-3-508, 39-3-510
Morticians, licensing, 37-19-305, 49-3-204
Mosquito control districts, notice of hearings on petitions
  creation of district, 7-22-2406
  dissolution of district, 7-22-2446
Motorists, service of process on, See **CIVIL PROCEDURE, Service of process**, nonresident motorists
Motor vehicles, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Naturopathic physicians, licensing provisions, 37-26-201, 37-26-404
Nurses, admission to practice, 37-8-103, 37-8-407, 37-8-417
Nursing home administrators, licensing, 37-9-303, 49-3-204
Nutritionists, licensing, 37-25-306
Occupational therapists, licensing, 37-24-104, 37-24-305
Oil operations, wage claims against, 39-3-508, 39-3-510
Optometrists, admission to practice, 37-10-302, 37-10-303
Osteopaths, admission to practice, 37-5-303
Outfitters and guides, licensing provisions, 37-47-306
Parking privileges for disabled persons, 49-4-302
Parolees, supervision, Title 46, chapter 23, part 11
Partition proceedings, See **PARTITION**
Pesticide licensing, 80-8-210
Pharmacies, mail service, Title 37, chapter 7, part 7
Pharmacists, admission to practice, 37-7-302
Physical therapists, admission to practice, 37-11-307, 37-11-309
Physicians, practice in this state allowed when, 37-3-103
Plumbers, licensing, 37-69-309
Podiatrists
  admission to practice, 37-6-302
  consultations with or treatments by, 37-6-310
Polygraph examiner license applicants, requirements, 37-62-203
Predator control
  aerial hunting permits, 81-7-503
  trapping, 87-2-603, 87-2-604
Primitive park user fees, 23-1-118

NONRESIDENTS (Continued)

Private investigators and security patrol officers, licensing, 37-60-302
Professional counselors, services rendered or licensing, 37-23-201, 37-23-204
Property of
  guardian, 72-5-321
  partition proceedings, See **PARTITION**
  quiet title, as party, 70-28-209
Prostitution, promotion — evidence, 45-5-604
Protection, right of, 49-1-201
Psychologists
  admission to practice, 37-17-304
  practice prior to licensing, 37-17-104
Public contracts
  bids and bidding, 18-1-102, 18-1-111, 18-7-107
  contractors, residence determination, 18-1-106
Quiet title actions, service of process, 70-28-209
Radiologic technologists, licensing, 37-14-304, 49-3-204
Raptors, hunting with or bringing into state, 87-5-208
Real estate appraisers — temporary permit, licensing, or certification, 37-54-406, 37-54-415, 37-54-417
Real estate brokers and salesmen, transactions with and licensing, 37-51-306
Respiratory care practitioners, licensing requirements, 37-28-202, 37-28-206, See also **RESPIRATORY CARE PRACTITIONERS**
Rights and duties, 49-1-201, 49-1-204
Sanitarians, licensing, 37-40-303, 49-3-204
Schools
  admittance, 20-1-101, 20-5-101
  tuition provisions, See **SCHOOLS, Tuition**
Service of process and papers on, 25-3-401, 25-3-402, 76-4-1251; Title 25, chapter 20, M.R.Civ.P., Rule 4D; Title 25, chapter 23, M.J.C.C.R.Civ.P., Rule 4D
  motorists, See **CIVIL PROCEDURE, Service of process**, nonresident motorists
Shooting preserves, hunting on, Title 87, chapter 4, part 5, See **FISH AND WILDLIFE, Shooting preserves**
Snowmobiles, temporary-use permits, 23-2-614, 23-2-615
Social workers
  licensing, 37-22-301
  services by, 37-22-305
Special fuel temporary trip permits, See **GASOLINE AND PETROLEUM PRODUCTS, Licenses and permits**
Speech-language pathologists and audiologists, practice within state and licensing, 37-15-103, 37-15-305, 49-3-204
Statute of limitation, 27-2-104, 45-1-206
Subpoenas, 25-3-402
Traffic offenses, convictions from, See **MOTOR VEHICLES AND TRAFFIC REGULATIONS**
Trapping licenses, Title 87, chapter 2, part 6, See **FISH AND WILDLIFE**
Trustees, 72-35-503
Underground storage tank installers, license revocation or suspension — effect, 75-11-211
University system students, tuition, 20-25-302, 20-25-421, 20-25-501, 20-25-503
Veterans' benefits inapplicable, 10-2-403, 10-2-506
Veterinarians
  consultations by, 37-18-104
  licensing, 37-18-303, 37-18-304, 37-18-311, 49-3-204
Vocational-technical centers, tuition, 20-16-205
Wage claims against mining or oil operations, 39-3-508, 39-3-510

NONRESIDENTS (Continued)

Water
  drainage district petitioners, 85-8-112
  irrigation district proceedings, See **IRRIGATION DISTRICTS**
  treatment plant operators, certification, 37-42-305
Water well contractors, drillers and monitoring well constructors — licensing, 37-43-202, 37-43-308
Witnesses in
  child custody proceedings, 40-7-119
  criminal proceedings, See **WITNESSES, Criminal proceedings, in**, out-of-state witnesses
Workers' compensation death benefits, beneficiary, 39-71-724

NORTHERN MONTANA COLLEGE
  See also **UNIVERSITY SYSTEM**, generally
Appropriations, unexpended — reversion, 17-7-304
Budget provisions, 17-7-102, See **BUDGET AND BUDGETING**
Designation, 20-25-201
Environmental science-water quality instructional programs, funding, 15-38-202
Legislative intern program, Title 5, chapter 6
Purpose, 20-25-256

NORTHWEST INTERSTATE COMPACT ON LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT, 75-3-501, 75-3-502
  See **RADIOACTIVE SUBSTANCES**

NORTHWEST POWER PLANNING COUNCIL, Title 90, chapter 4, part 4

NOTARIES PUBLIC
  See also **PUBLIC OFFICERS OR EMPLOYEES**, generally
Address, filing, 1-5-409
Appointment, 1-5-401
Authentication of official acts, 1-5-416; Title 26, chapter 10, M.R.Ev., Rule 902
Ballot issue petitions, certification of signatures, 13-27-307
Boat certificate of ownership, transfer of interest, 23-2-510
Bond requirements, 1-5-405
  liabilities on, 1-5-406
Character certification, 1-5-407, 1-5-408, 7-4-2631
City-county consolidated government, commission members as, 7-3-1215
Commission, 1-5-404, 1-5-405, 1-5-407, 1-5-408, 7-4-2631
Corporate officers, authority, 1-5-417
Criminal history records, authorization for inspection or transfer, 44-5-214
Death, 1-5-419
Elections, political party precinct committeemen — nominations for, 13-38-201
Employment agencies, license applications, 39-5-202
Falsification to, 45-7-202
Fees, 1-5-418, 7-4-2631
Fishing and hunting license applications, residence requirements, 87-2-106
Fraternal benefit societies, articles of incorporation, 33-7-208
Judicial notice of official acts of, Title 26, chapter 10, M.R.Ev., Rule 202
Jurisdiction, 1-5-415
Legislature, members as notaries, Const., V, 9
Liability, 1-5-406, 1-5-419
Medical schools, procurement of cadavers, 50-21-102
Mines and mining
  metal mines
    confidentiality of application information, waiver, 82-4-308

NOTARIES PUBLIC (Continued)
Mines and mining (Continued)
  metal mines (Continued)
    exploration license applications, 82-4-332
  strip and underground mining, coal and uranium — operation
    maps, certification, 82-4-222
    prospecting permit applications, 82-4-226
    reclamation projects, appraisals, 82-4-239
Motor vehicles
  certificate of ownership, transfer of interest, 61-3-201, 61-3-205
  certificates of registration, receipts, 61-3-322
  graveyard and wrecking facilities, record requirements, 75-10-512
  insurers, transfer of ownership — certificate of ownership, 61-3-205
  off-highway vehicles, certificate of ownership — transfer of interest, 23-2-812
Negligence, 1-5-406
Notarial acts, 1-5-416, 1-5-417, 1-5-603, 1-6-101, 30-3-510
  certificate, 1-5-609
    short forms, 1-5-610
  citation of uniform law on notarial acts, 1-5-601
  definitions, 1-5-602
  federal authority, under, 1-5-607
  fees, 1-5-418
  foreign, 1-5-608
  reciprocity, 1-5-415, 1-5-605
  state, in, 1-5-604
  uniform application and construction, 1-5-611
  united states, in other jurisdictions of, 1-5-606
Official misconduct, 1-5-406
"Official proceeding" defined, 45-2-101
Parental rights, relinquishment — execution, 40-6-135
Physical therapists' licenses or certificates, authorization of reproduction, 37-11-311
Powers and duties generally, 1-5-416
Public office, may hold other office, Const., V, 9
Qualifications, 1-5-402
Records kept by, 1-5-416, 1-5-419, 1-5-420
Removal from office, 1-5-419
Residence requirements, 1-5-402
Resignation, 1-5-419
Seal, 1-5-416, 1-5-608, 1-5-609
Snowmobile certificates of ownership, transfer of ownership, 23-2-612
Telephone number, filing, 1-5-409
Term of office, 1-5-403, 1-5-409
Termination of office, 1-5-419
Wages and salaries, assignment — spouse's signature, 31-1-306
Weather modification authorities, county — affidavit accompanying petition for creation, 85-3-412

NOTICES
  See also specific subject area
"Actual and constructive" defined, 1-1-217
Cities and towns, See **CITIES AND TOWNS**
Civil actions, 25-3-101, See **CIVIL PROCEDURE**
Counties, See **COUNTIES**
Criminal proceedings, See **CRIMINAL PROCEDURE**
Definitions applicable, 1-1-202, 25-3-101
Governmental, 2-3-103 — 2-3-107; Title 18, chapter 7, part 2, See **CITIES AND TOWNS; COUNTIES; PUBLIC PARTICIPATION IN GOVERNMENT**
Judicial, See **EVIDENCE, Judicial notice**

NOTICES (Continued)

Lis pendens, See **PROPERTY, REAL**
Publication, See **CIVIL PROCEDURE, Service of process; PUBLIC CONTRACTS, Printing**, legal notices, publication
Public participation in government, for, See **PUBLIC PARTICIPATION IN GOVERNMENT**
Radio and television, 2-3-105 — 2-3-107
State, publication, Title 18, chapter 7, part 2, See also **PUBLIC PARTICIPATION IN GOVERNMENT**
Television and radio, 2-3-105 — 2-3-107
Terms, construction, 1-4-108
Written, construction of terms, 1-4-108

NUCLEAR ENERGY
  See **FACILITY SITING; RADIOACTIVE SUBSTANCES**; See also generally **ENERGY; UTILITIES; UTILITIES, RURAL COOPERATIVE**

NUISANCES
  See also generally **REMEDIES; SPECIAL PROCEEDINGS; TORTS**
Abatement
  action for, See **Action to abate**
  cigarettes, place where sold, 16-11-145
  cities and towns, powers, 7-3-4313, 7-13-4406
  city director of public welfare, 7-3-4463
  city or town councils, power, 7-5-4104
  damages, effect on, 27-30-104
  forest protection, funds collected — disposition, 76-13-111
  hazardous waste handling or disposal, 75-10-404
  health hazards, 50-2-116, 75-10-404
  private nuisances, 27-30-301, 27-30-302
  public nuisances, 27-30-202, 27-30-204
Action to abate, 27-30-103
  costs, 25-10-101, 25-10-102
  judgment, 27-30-103, 45-8-112
  parties, 27-30-103, 27-30-203
  private nuisance, 27-30-301
  public nuisance, 27-30-202, 27-30-203, 45-8-112
  swimming pool or area violations, 50-53-104
Agricultural odors, nuisance suit based on barred, 27-30-101, 45-8-111
Alcoholic beverages, premises where illegally handled, 16-6-312, 16-6-313
Applicability of laws, 27-30-101, 27-30-202
Canals, basins or bays, obstruction, 27-30-101
Cities and towns, powers, 7-1-4124, 7-3-4313, 7-13-4406, 7-31-4203 — 7-31-4206
City director of public welfare, power, 7-3-4463
City or town councils, control, 7-5-4104
Construction blasting and blaster violations, 37-72-102
County roads, encroachments, 7-14-2137
Damages, right to recover, 27-30-103, 27-30-104
Defined, 27-30-101, 27-30-102, 45-8-111
Disorderly conduct, 23-1-122, 23-2-526, 45-8-101
Farming odors, nuisance suit based on barred, 27-30-101, 45-8-111
Food, perishable, 50-31-510
Health hazards, 50-1-203, 50-2-116, 75-10-404
Highways, obstruction, 27-30-101, 45-8-111
Housing authorities, municipal — findings and determinations, 7-15-4459
Injunction, 16-6-313, 16-11-145, 27-1-401, 27-30-103, 45-8-112
Judgment, 27-30-103, 45-8-112

NUISANCES (Continued)

Lakes, obstruction, 27-30-101
Livestock odors, nuisance suit based on barred, 27-30-101, 45-8-111
Municipal commission-manager government, power regarding, 7-3-4313, 7-3-4463
Noxious weeds and seeds, 7-22-2115
Parks, obstruction of use, 27-30-101
Private nuisances, 27-30-102, 27-30-301, 27-30-302
Public nuisance, 27-30-102, 45-8-111
  abatement, 27-30-202, 27-30-204
  action to abate, remedies, 27-30-202, 27-30-203, 45-8-112
  airport hazards, 67-6-102
  alcoholic beverages, premises where illegally handled, 16-6-312
  boats exceeding noise limitations, 23-1-122, 23-2-526, 87-1-506
  cigarettes, place where sold, 16-11-145
  community decay, 7-5-2110, 7-5-2111
  criminal charges, 27-30-202, 45-8-111
  dogs killing or destroying livestock or poultry, 81-7-401
  engineering, practice without license, 37-67-302
  extent of annoyance or damage, 45-8-111
  fences, fallen wire, 81-4-105
  fine for, 45-8-111
  fire hazards, structures creating, 50-62-102, 50-62-103
  floodplain or floodway artificial obstructions or nonconforming uses, when, 76-5-404
  hazardous waste handling or disposal, 75-10-404
  health hazards, 50-1-203, 50-2-116
  horses, abandoned — running at large, 81-4-502
  injunction, 45-8-112
  judgment, 45-8-112
  junkyards, nonconformance with provisions, 75-15-201
  lakeshore protection, permits for work not to create, 75-7-208
  land surveying, practice without license, 37-67-302
  livestock running at large, 81-4-205, 81-4-502
  mausoleum-columbarium construction violations, 35-21-712
  open ditches, 7-31-4203 — 7-31-4206
  outdoor advertising, nonconforming, 75-15-133
  parties, 27-30-203
  private person, action or abatement by, 27-30-203, 27-30-204
  public officer or body, abatement by, 27-30-204
  remedies enumerated, 27-30-202
  streambed alteration projects, when, 75-7-122
  swimming pool or area violations, 50-53-104, 50-53-108
  time does not legalize, 27-30-201
  traffic-control devices, unauthorized, 61-8-706
Rivers and streams, obstruction, 27-30-101
Specific performance, 27-1-401
Streets, obstruction, 27-30-101
Successive owners, liability, 27-30-105
Surface owner's rights, 70-16-101
Vertebrate pests, Title 7, chapter 22, part 22; Title 80, chapter 7, part 11, See **PESTS AND PESTICIDES**
Waterways, obstruction, 27-30-101, 45-8-111

NURSERIES AND NURSERYMEN, Title 80, chapter 7, part 1
  See **PRODUCE**

NURSING AND NURSES
  See also **MEDICINE AND MEDICAL CARE**

NURSING AND NURSES (Continued)

Abortion, participation, See **ABORTION**
Advanced practice registered nurses, 37-8-102, 37-8-202
Advertising, unlawful use of word "nursing", 50-5-107
Alcohol abuse, 37-8-202, 37-8-441
Anatomical gift provisions, nonliability, 72-17-207
Anesthetists, nurse, 37-2-101, 37-4-511, 37-7-401, 37-8-202
Authority, limitations, 37-8-103
Blood alcohol tests, administration and liability, 61-8-405
Board of Nursing, 2-15-1844; Title 37, chapter 8, part 2
Chemical dependency, 37-8-202, 37-8-441
Child abuse and neglect, reporting of, 41-3-201, 41-3-203 — 41-3-207
Children's services, interdisciplinary child information teams, 41-3-205, 41-5-602, 41-5-603, 52-2-211
Collective bargaining, 39-32-102, See also **COLLECTIVE BARGAINING**
- agreement, 39-32-109
- applicability of laws, 39-31-103, 39-32-102, 39-32-112
- appropriate bargaining unit, 39-32-102, 39-32-104 — 39-32-106
- classification of health care facility, 39-32-105
- discrimination based on prohibited, 39-32-109
- exclusions, 39-32-102
- good faith duty, 39-32-109
- hearings, 39-32-104, 39-32-105
- notices, 39-32-105, 39-32-110
- personnel appeals, board of — authority, 39-32-103 — 39-32-106, 39-32-112 — 39-32-114
- political contributions with agency shop fees prohibited, 39-32-109
- professional and nonprofessional employees may not be included together, 39-32-106
- public employee provisions inapplicable, 39-31-103
- purpose of provisions, 39-32-101
- representation, adjudication, 39-32-113
- right protected, 39-32-109
- strikes, 39-32-102, 39-32-110
- subpoena power, 39-32-114
- unfair labor practices, 39-32-109, 39-32-112

Complaints, 37-8-442
Contraceptives, dispensation when, 37-2-104, 37-7-103, 50-31-307
Counseling, professional — applicability of provisions, 37-23-201
County interdisciplinary child information teams, 41-3-205, 41-5-602, 41-5-603, 52-2-211
Death penalty, execution
- attendance, 46-19-103
- licensing provisions, exemption, 37-8-103

Developmentally disabled persons, Title 53, chapter 20
- abuse, neglect, or exploitation — report required, 52-3-811, See **DEVELOPMENTALLY DISABLED PERSONS, Abuse, neglect, or exploitation**
- community services, rulemaking authority on administration of medication, 53-20-204
- qualified mental retardation professional, 53-20-102, See **DEVELOPMENTALLY DISABLED PERSONS, Professionals, qualified mental retardation**
- residential facilities, in — review of drug regimen, 53-20-145

Dietetics-nutrition, practice of — allowed when, 37-25-304
Disability insurance
- insured's selection of practitioner, 33-22-111
- nurse specialists, coverage for services provided by, 33-30-1013

Disciplinary hearings, 37-8-202
Discrimination in employment based on collective bargaining, 39-32-109
Domiciliary care, 39-71-1101

NURSING AND NURSES (Continued)

Drugs
  abuse, 37-8-202, 37-8-441
  contraceptives, dispensation when, 37-2-104, 37-7-103, 50-31-307
  developmentally disabled persons in residential facilities, responsibility, 53-20-145
  prescriptions, authority, 37-2-101, 37-7-401, 37-8-202
Education programs, 37-8-102; Title 37, chapter 8, part 3
  application for approval, 37-8-301
  approved list, removal from, 37-8-202, 37-8-302
  curriculum and standards, 37-8-202
  discriminatory practices, See **DISCRIMINATION, Educational institutions**
  health facility authority assistance, 90-7-104, See also **HEALTH FACILITY AUTHORITY**
  students enrolled in, practice by, 37-8-103
  survey and approval, 37-8-302
Elderly persons — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Emergency services, 27-1-734, 37-8-103, 37-27-311, 50-6-317, 50-78-205
Exemptions from provisions, 37-8-103
Family planning clinics, contraceptive dispensation, 37-2-104, 37-7-103, 50-31-307
Fetal deaths, reporting, 46-4-114
Foster family care homes, adult — limitation on care, 52-3-305
Fraud, 37-1-131, 37-8-441, 37-8-443, 39-71-316
Guardianship proceedings, as visitor, 72-5-313
Gunshot wounds, reporting, 37-2-302, 37-2-303
Hazardous chemical emergencies, chemical identity provided, 50-78-205
Health care, statewide universal access, 50-4-302, See **HEALTH CARE, STATEWIDE UNIVERSAL ACCESS**
Health care information, See **HEALTH CARE INFORMATION; INSURANCE, Information and privacy protection**
Health maintenance organization providers, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
Health service corporations, coverage for services provided by nurse specialists, 33-30-1013, See **HEALTH SERVICE CORPORATIONS**
Home health care, insurance coverage for, 33-1-208, 33-22-1001 — 33-22-1003, See also **INSURANCE, DISABILITY**
Hospital districts, employment, 7-34-2122
Incompetence, 37-8-441
Incorporation, Title 35, chapter 4, See **CORPORATIONS, Professional corporations**
Injunction when, 37-8-444
Insurance
  disability
    insured's selection of practitioner, 33-22-111
    nurse specialists, coverage for services provided by, 33-30-1013
  health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
  information and privacy protection act, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
  professional liability, Title 33, chapter 23, part 3, See **INSURANCE, CASUALTY, Professional liability**
Investigations, 37-8-442
Labor organizations, See **Collective bargaining**
Liability, 50-6-317
Licensed practical nurses, See **Practical nursing**
Licenses and licensing, Title 37, chapter 8, part 4
  advanced practice registered nurse, 37-8-102, 37-8-202

NURSING AND NURSES (Continued)
Licenses and licensing (Continued)

- courses in preparation for, 37-8-202
- denial, revocation, or suspension, 37-8-202, 37-8-441, 37-8-443
- discrimination in issuance prohibited, 49-3-204
- fees, 37-8-202, 37-8-406, 37-8-407, 37-8-418, 37-8-431, 37-8-433
- fraud or deceit in procuring, 37-8-441, 37-8-443
- indication of, without valid license unlawful, 37-8-401
- lapse and nonrenewal, 37-8-431, 37-8-433
- midwifery, certificate of, 37-8-409
- practical nursing
  - applicants, qualifications, 37-8-415
  - discrimination in issuance prohibited, 49-3-204
  - examinations, 37-8-416, 37-8-417
  - fee, 37-8-418
  - lack of, unlawful, 37-8-401, 37-8-443
  - qualifications, 37-8-415
  - reciprocity, 37-8-417
- professional nursing
  - applicants, qualifications, 37-8-405
  - discrimination in issuance prohibited, 49-3-204
  - examinations, 37-8-406, 37-8-407
  - fees, 37-8-406, 37-8-407
  - issuance, 37-8-406
  - lack of, unlawful, 37-8-401, 37-8-443
  - qualifications, 37-8-405
  - reciprocity, 37-8-407
- reinstatement when, 37-8-431
- reissuance, 37-8-442
- renewal, 37-8-431
- suspension, 37-1-131, 39-71-316

Lien for services, Title 71, chapter 3, part 11
Limitations on authority, 37-8-103
Malpractice, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, MEDICAL**
Managed care providers, Title 39, chapter 71, part 11, See **WORKERS' COMPENSATION**
Medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Medical Examiners, Board of — rules for prescription authority, 37-8-202
Medical record information, See **HEALTH CARE INFORMATION; INSURANCE, Information and privacy protection**
Medicine, practice of — applicability of licensing provisions, 37-3-103
Mental incompetence, 37-8-441
Midwifery, Title 37, chapter 27
Minors

- child abuse and neglect, reporting of, 41-3-201, 41-3-203 — 41-3-207
- county interdisciplinary child information teams, 41-3-205, 41-5-602, 41-5-603, 52-2-211
- foster parents caring for, 37-8-103

Negligence, 37-8-441, 50-6-317
Nonresidents, 37-8-103, 37-8-407, 37-8-417, 37-8-430
"Nursing", unlawful use of word, 50-5-107
Nutrition, practice of — when, 37-25-304
Organ donation provisions, nonliability, 72-17-207
Organization, See **Collective bargaining**
Payment for services

- collective bargaining, See **Collective bargaining**
- generally, 37-8-101 — 37-8-103
- lien for, Title 71, chapter 3, part 11

NURSING AND NURSES (Continued)
Payment for services (Continued)

medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Peer review, See also **HEALTH CARE INFORMATION, Hospital medical staff committees**
  nonliability, 37-2-201
  reporting of incompetence or unprofessional conduct, 37-3-401 — 37-3-405
Personal care facilities, agreement statement for resident's admission, 50-5-226
Personnel Appeals, Board of — authority in collective bargaining, 39-32-103 — 39-32-106, 39-32-112 — 39-32-114
Physician assistants-certified utilization plans, applicability, 37-20-303
Practical nursing, 37-8-102
  licenses, See **Licenses and licensing**
  temporary work permit, 37-8-430
  title and abbreviation, 37-8-419
Practice of nursing, 37-8-102
  delegation of nursing tasks, 37-8-103, 37-8-202
  licenses, See also **Licenses and licensing**
    expiration, following — unlawful, 37-8-431
    lack of, unlawful, 37-8-443
  qualifications for, evidence, 37-8-101
  students, by, 37-8-103
Practitioners, nurse, 37-2-101, 37-7-401, 37-8-202
Prescriptions for drugs, authority, 37-2-101, 37-7-401, 37-8-202
Professional corporations, Title 35, chapter 4, See **CORPORATIONS**
Professional counseling, applicability of provisions, 37-23-201
Professional liability, See **INSURANCE, CASUALTY; MALPRACTICE, MEDICAL**
Professional nursing, 37-8-102
  licenses, See **Licenses and licensing**
  midwifery, Title 37, chapter 27
  temporary work permit, 37-8-430
  title and abbreviation, 37-8-408
Public health nursing, 50-2-119
  consultation with department of health and environmental sciences, 50-1-202
Purpose of provisions, 37-8-101
Registered nurses, See **Professional nursing**
Registration, courses in preparation for, 37-8-202
Schools and school nurses
  privileged communications, 26-1-809
  special education, allowable costs, 20-7-431
  teachers' retirement system, membership required, 19-20-302
  trustees, retained by — when, 20-3-324
Schools of nursing, See **Education programs**
Self-organization, See **Collective bargaining**
Senior citizens — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Specialists
  disability insurance, insured's choice of practitioner, 33-22-111
  drug prescriptions, 37-2-101, 37-7-401, 37-8-202
  health maintenance organizations, providers, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS**
  health service corporations, coverage for services, 33-30-1013
  medicaid, payment for services, 53-6-101
Stab wounds, reporting, 37-2-302, 37-2-303
Sterilization, participation, Title 50, chapter 5, part 5
Strikes, 39-32-102, 39-32-110, See also **Collective bargaining**
Student nurses, practice by, 37-8-103

NURSING AND NURSES (Continued)

Transportation, free or reduced rates — when, 69-11-208
Unfair labor practices, 39-32-109, 39-32-112, See also **Collective bargaining**
Unions, See **Collective bargaining**
University system, service facilities, 20-25-302
Unprofessional conduct, 37-8-441
Utilization reviews, Title 33, chapter 32, See **INSURANCE, DISABILITY**
Violations
  child abuse and neglect, failure to report, 41-3-207
  complaints, 37-8-442
  effect, 37-8-441
  enumeration, penalties, 37-8-443
  fines and disposition, 37-8-432, 37-8-443
  health care facilities, unlawful use of word “nursing”, 50-5-107
  injunction to restrain, 37-8-444
  jurisdiction, 37-8-443
  licenses
    expiration, practice following, 37-8-431
    lack of, 37-8-401, 37-8-443
  prosecution, 37-8-202
Vocational rehabilitation, physical restoration, 53-7-101, 53-7-301, See **BLIND OR VISUALLY DISABLED PERSONS; PUBLIC ASSISTANCE**
Wages, collective bargaining, See **Collective bargaining**
Workers' compensation claims, fraud or deception concerning — suspension of license, 37-1-131, 39-71-316

NURSING HOMES
  See also **HEALTH CARE FACILITIES**, generally
Abuse, neglect, or exploitation of residents — report required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation; DEVELOPMENTALLY DISABLED PERSONS, Abuse, neglect, or exploitation**
Administrators
  board of nursing home administrators, 2-15-1845; Title 37, chapter 9, parts 2 and 3
  complaints against, 37-9-311
  continuing education, 37-9-203, 37-9-305
  courses of instruction, 37-9-203, 37-9-301
  definitions, 37-9-101
  fees, 37-9-304, 37-9-306
  fines, 37-9-312
  inactive administrators. 37-9-101, 37-9-304
  insurance, professional liability, See **INSURANCE, CASUALTY, Professional liability**
  investigations, 37-9-203, 37-9-311
  licenses and licensing
    cancellation, 37-9-302
    duplicate, 37-9-304
    examinations, 37-9-301
    expiration, 37-1-101, 37-9-304
    fees, 37-9-304, 37-9-306
    issuance, 37-9-203, 37-9-301, 37-9-302, 37-9-311, 49-3-204
    lack of, unlawful, 37-9-312
    nonresidents, 37-9-303
    nontransferability, 37-9-302
    qualifications, 37-9-203, 37-9-301
    reciprocity, 37-9-303
    registration, 37-9-203, 37-9-301, 37-9-302, 37-9-304, 37-9-305
    renewal, 37-9-304, 37-9-305

NURSING HOMES (Continued)
Administrators (Continued)
  licenses and licensing (Continued)
    revocation or suspension, 37-9-302, 37-9-311
    rules for, 37-9-302
    standards for, 37-9-203
    temporary permit, 37-9-302
  long-term care facility administrators, as, 50-5-1103, See **LONG-TERM CARE FACILITIES, Residents' rights**
  malpractice, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, MEDICAL**
  nonresidents, 37-9-303
  physician assistants-certified utilization plans, applicability, 37-20-303
  professional liability, See **INSURANCE, CASUALTY; MALPRACTICE, MEDICAL**
  qualifications, 37-9-202, 37-9-203
  rights of long-term care residents, See **LONG-TERM CARE FACILITIES, Residents' rights**
  standards, 37-9-203
  violations, 37-9-302, 37-9-312
AIDS testing and counseling, 50-16-1003, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Autopsy records and reports, 50-21-104
Bed day utilization fee, Title 15, chapter 60
Center for the Aged, See **AGING AND AGED PERSONS, Center for the Aged**
Certificate of need, 50-5-101, 50-5-301, See also **HEALTH CARE FACILITIES, Certificate of need**
Construction of facility, See also **HEALTH CARE FACILITIES, Construction, alteration, or expansion**
  funding, 90-5-101, See **INDUSTRIES AND INDUSTRIAL DEVELOPMENT, Development projects**
Corrections and Human Services, Department of — contracts for, 53-21-401, 53-21-402
County operation, See **HEALTH CARE FACILITIES, County operation**
Definitions, 37-9-101, 50-5-101
Developmentally disabled persons, for, 53-20-504
Development, funding, 90-5-101, See **INDUSTRIES AND INDUSTRIAL DEVELOPMENT, Development projects**
Federal aid, See **HEALTH CARE FACILITIES, State medical facility plan**
Fire protection and safety regulations, 50-61-103, See **FIRES AND FIRE PROTECTION**, generally
Health care authority, resource management plan to address services, 50-4-304, See also **HEALTH CARE, STATEWIDE UNIVERSAL ACCESS**
Health care information, Title 50, chapter 15, See **HEALTH CARE INFORMATION**
HIV-related testing and counseling, 50-16-1003, 50-16-1007, See also **DISEASES, AIDS (acquired immunodeficiency syndrome)**
Housing development, defined as for board of housing purposes, 90-6-103, See **HOUSING, Lower income, development**
Indigent programs, county — optional, 53-2-802, 53-2-804
Inspections, joint inspections among governmental agencies, 50-8-101, 50-8-102, 50-8-105
Insurance, professional liability, See **INSURANCE, CASUALTY, Professional liability**
Licensing
  administrators, See **Administrators**
  facilities, 49-3-204, 50-5-101, 50-5-201
    one-step licensing required, 50-8-101, 50-8-102
Long-term care insurance, 33-1-208, 33-20-127, 33-20-128; Title 33, chapter 22, part 11, See **INSURANCE, DISABILITY**
Medicaid, See **PUBLIC ASSISTANCE**
Medical records, Title 50, chapter 15, See **HEALTH CARE INFORMATION**
"Nursing", unlawful use of word, 50-5-107

NURSING HOMES (Continued)

Older Montanans, placement services, 52-3-504
Operation generally, 50-5-101, 50-5-103
Parole of incarcerated persons, medical — placement, 46-23-210
Payment for services
  county liability, 53-2-610
  medicaid, supplemental payments prohibited, 52-1-104, 53-6-101, See also **PUBLIC ASSISTANCE**
Public assistance recipients, 53-2-610
Reports — abuse, neglect, or exploitation of residents, 52-3-811
Residents' rights, Title 50, chapter 5, part 11, See **LONG-TERM CARE FACILITIES**
Silicosis benefits, representative payee for, 39-73-111
Social security income paid to, exclusion from income for property tax purposes, 15-6-134
Taxation, exemption, 15-6-201; Const., VIII, 5
Utilization fee, bed day, Title 15, chapter 60
Veterans, See **VETERANS, Montana Veterans' Homes**

NUTRITION AND NUTRITIONISTS
  See also **DIETITIANS**
Advertising, 37-25-305
Aging services, 52-3-101, 52-3-504
Continuing education, 37-25-307
Day-care facilities, 52-2-702, 52-2-723, 52-2-735
Developmentally disabled persons in residential facilities, rights, 53-20-142
Displaced homemakers, programs for, 39-7-305
Elderly persons, services, 52-3-101, 52-3-504
Ethical standards, 37-25-201
Exemptions, 37-25-304
Fines, 37-25-308
Food programs and nutrition services, 2-15-2210; Title 50, chapter 49, part 1
Fraud, 37-25-308
Health care facility standards, 53-6-106
Health programs for mothers and children, 50-1-202
Incompetence, 37-25-308
Infants, "withholding of medically indicated treatment" defined, 41-3-102
Interns, practice allowed when, 37-25-304
Legislative findings, 37-25-101
Licenses and licensing, Title 37, chapter 25, part 3
  applications, 37-25-302
  denial, revocation, or suspension, 37-25-308
  effective date and expiration, 37-25-303
  examinations, 37-25-201
  exemptions, 37-25-304
  fees, 37-25-302, 37-25-307
  issuance, 37-25-201, 37-25-303, 37-25-307
  reciprocity, 37-25-306
  renewal, 37-25-201, 37-25-307
  requirements, 37-25-302, 37-25-305, 37-25-307
Living wills, applicability of provisions, 50-9-202
Medical Examiners, Board of, 2-15-1841; Title 37, chapter 25, part 2
Mentally ill persons in mental health facilities, rights, 53-21-142
Naturopathic physicians, counseling and supplements, 37-26-301, 37-26-302
Nonresidents, 37-25-306
Paraprofessionals, practice allowed when, 37-25-304
Postattack emergency regulation, 10-3-505

NUTRITION AND NUTRITIONISTS (Continued)

Practice of dietetics-nutrition, 37-25-102
  medical examiners, board of — nutritionist member, qualification, 2-15-1841
  scope, 37-25-301
  standards, 37-25-201
Probation, 37-25-308
Professional standards, 37-25-201
Public health nutritionist, 50-49-107
Purpose of provisions, 37-25-101
Reciprocity, 37-25-306
Representation as nutritionist, 37-25-304, 37-25-305
School food services, 20-10-201, See **SCHOOLS, Food services**
Scope of provisions, 37-25-301
Senior citizens, services, 52-3-101, 52-3-504
Services and food programs, 2-15-2210; Title 50, chapter 49, part 1
Students, practice allowed when, 37-25-304
Title, limitation on use, 37-25-305
Unprofessional conduct, 37-25-308
Violations, 37-25-308

O

OATHS
  See also **AFFIDAVITS**
Acknowledgments, certificates of, 1-5-205
Acupuncturists, complaints charging violations by, 37-13-312
Administering
  administrative proceedings, hearing examiners, 2-4-611
  alternative health care board, 37-27-105
  arbitrators, 27-5-215
  architects, board of — officers, 37-65-201
  attorney general, 82-15-204
  banking board, state, 32-1-205
  bounty inspectors, 81-7-111, 81-7-204
  chiropractic legal panel, 27-12-205
  chiropractors, board of, 37-12-201
  city clerk, 7-4-4501
  city-county commission or manager, 7-3-1252
  city finance, director of, 7-3-4433
  city officers, 7-1-4136
  civil service boards, 7-3-4414
  clinical laboratory science practitioners, board of, 37-34-201
  collective bargaining factfinders, 39-31-309
  commerce, department of, 20-30-201, 30-14-114, 30-14-221, 31-1-211, 32-1-211, 32-2-302, 32-3-203, 32-7-123, 81-23-401, 90-8-313
  conservation district board of adjustment chairman, 76-15-722
  corrections and human services, department of, 53-1-406
  county attorney, 13-37-125
  county auditor, 7-6-2408
  county clerk and recorder, 7-4-2631, 15-16-305
  county commissioners, board of, 3-10-231, 7-5-2121
  county officers, 7-4-2209
  county road superintendent, 7-14-2707
  county superintendent of schools, 20-3-205, 20-3-210

OATHS (Continued)
Administering (Continued)

- courts of justice, 3-1-111
- crime control, division of, 53-9-104
- dentistry, board of, 37-4-201
- depositions, person appointed to take, Title 25, chapter 20, M.R.Civ.P., Rules 28(a), 28(b), 30(h)
- election judges, 13-4-105, 13-4-202, 13-13-101, 13-13-118, 13-13-119, 13-13-306
- environmental quality council, 75-1-312
- fish and game license agents, 87-2-904
- governor, 90-4-305
- grand jury foreman, 46-11-303
- health and environmental sciences
  - board of, 50-1-301, 50-6-314
  - department of, 50-6-314
- housing authority officials, 7-15-4458
- human rights, commission for, 49-2-203
- instruments, officers taking proof of execution, 1-5-304
- insurance, commissioner of or examiners, 33-1-315, 33-2-1345, 33-31-401
- judges and justices, 3-1-402, 25-14-306, 46-5-222
- justice, department of, 61-4-206, 61-5-206
- labor and industry, commissioner of, 39-1-103, 39-3-210
- labor and industry, department of, 50-71-106
- land commissioners, board of, 82-4-422
- land surveyors, registered, 76-3-405
- legislative council when, 5-11-107
- legislature
  - committee members, 5-5-201
  - officers, 5-2-222, 5-5-416
  - secretary of senate, 5-5-416
- livestock
  - department of, 81-2-102, 81-2-506, 81-9-305
  - horses, abandoned — roundup foreman, 81-4-505
- malpractice review panels, 27-6-205, 27-12-205
- master, Title 25, chapter 20, M.R.Civ.P., Rule 53(c)
- mayors, 7-5-4102
- medical examiners, board of, 37-13-201
- medical legal panel, 27-6-205
- militia officers, 10-1-302
- municipal commission government, council, 7-3-4260
- natural resources and conservation, department of, 85-2-513
- notaries public, 1-5-416 — 1-5-418; Title 1, chapter 5, part 6
- oil and gas conservation, board of, 82-11-142
- optometrists, board of — officers, 37-10-201
- pardons, board of, 46-23-205
- passenger tramway safety, board of, 23-2-721
- personnel appeals, board of, 39-31-106, 39-32-114
- political practices, commissioner of, 13-37-111
- professional engineers and professional land surveyors, board of, 37-67-202
- public administrator, 72-15-209
- public employees' retirement board, 19-2-406
- public officers, 2-16-116
- public service commission
  - agents or examiners, 69-12-206
  - commissioners, 69-1-110
- realty regulation, board of, 37-53-501, 76-4-1207
- revenue, department of, 15-1-302, 15-30-145, 15-30-302, 16-11-103, 72-16-204

OATHS (Continued)
Administering (Continued)

- school election judges, 20-20-410
- securities commissioner, 30-10-304
- social and rehabilitation services, department of, 40-5-202
- state lands, department of, 82-4-232
- state tax appeal board, 15-2-201
    - secretary, 15-2-104
- surveyors, 7-4-2803
- teachers' retirement board, 19-20-901
- transportation, department of, 67-2-502
- veterans' affairs, board of — members and employees, 10-2-103
- who may administer, 1-6-101
- zoning boards of adjustment
    - county, chairman, 76-2-221
    - municipal, chairman, 76-2-321

Adoption
- hard-to-place children, certificate from adoptive parents receiving subsidy, 52-2-510
- relinquishment of parental rights, 40-6-135

Affirmation in lieu of, 1-6-104; Const., III, 3; Title 25, chapter 20, M.R.Civ.P., Rule 43(d)
Air carriers, tax assessment — statement for, 15-23-402
Alcoholic beverages
- illegally kept or had, information by investigators and peace officers, 16-6-102
- license applications, verification, 16-4-402

Appeals, civil — application for relief from injunction orders, Title 25, chapter 21, M.R.App.P., Rule 40
Appraisers
- homestead, 70-32-206
- street grade changes, damages caused by, 7-14-4203

Architects, charges against, 37-65-321
Arrest, prejudgment arrest
- justices' courts, answer, 27-16-1006
- sureties of defendant, examination, 27-16-406

Attachment, proceedings in aid of, 27-18-501, 27-18-503
Attorney general, Title 25, chapter 21, M.R.App.P., Rule 19
Attorneys at law, 37-61-207, 37-61-301
Auctioneers, assistant, 30-11-512
Bail, criminal — sureties of defendant
- schedule of property, 46-9-403

Ballot issue petition signatures
- certification, 13-27-302
- challenge to, 13-27-306

Banks and trust companies
- board of directors, 32-1-322
- call reports, 32-1-231
- examinations and hearings, 32-1-211, 32-1-502
- insolvency
    - creditors, proof of claims, 32-1-531
    - examinations, 32-1-502

Benevolent associations, annual statements, 33-6-304
Bonds, official — sureties, justification, 2-9-507
Building and loan associations
- annual reports, 32-2-413
- board of directors, 32-2-206
- foreign associations, statements, 32-2-261
- reports of condition, 32-2-303
- tax assessment, statement of resources and liabilities, 15-24-801

OATHS (Continued)

Child custody
  relinquishment of parental rights, 40-6-135
  uniform child custody jurisdiction act, information from parties to proceedings, 40-7-110
Child support
  administrative enforcement, financial statement by obligor, 40-5-213
  evidence, 40-5-175
  income withholding, foreign order for — registration application, 40-5-431
  interstate enforcement, rendition, 40-5-153
Chiropractors
  complaints charging violations by, 37-12-322
  license applications, 37-12-302
City and town officers, 7-1-4137, 7-4-101
City councilmen, 7-3-4217
City-county consolidated government
  law, department of — director, 7-3-1341
  officers or employees, 7-3-1259, 7-3-1314
City or town clerk — statements of receipts, disbursements, and funds, 7-6-4109, 7-16-4209
City treasurer, statements of receipts, disbursements, and funds, 7-6-4105
Civil defense personnel, 10-3-112
Civil proceedings
  bill of costs, verification, 25-10-501
  discovery, interrogatories, Title 25, chapter 20, M.R.Civ.P., Rule 33(a)
Civil service commissioners, 7-3-4257
Clerk of the district court, fees, 25-1-201
Clerk of the supreme court, See **Supreme court**
Community college district trustees, 20-15-210, 20-15-222
Condominiums, lien for common expenses — verification of claim, 70-23-607
Conservation districts, application for organization, 76-15-212
Constables, report of receipts and disbursements, 7-6-2213
Constitutional convention delegates, Const., XIV, 6
Construction blasters
  charges against, 37-72-203
  license applicants, verification of qualifications, 37-72-301, 37-72-302
Consumer loan businesses
  annual reports, 32-5-308
  wage assignment, notice of, 32-5-310
Corporations
  business trusts, creating instrument, 35-5-201
  directors, advance for expenses — affirmation of standard of conduct, 35-1-454
  execution of documents, 35-1-428
  fiduciary when, 72-31-101
  workers' compensation provisions, officers' notice of election to be not covered by, 39-71-401
County assessor, 7-4-3007
County attorney, account of receipts, 7-4-2715, 7-6-2117
County auditor, 7-6-2404
County business licenses, requirements, 7-21-2103
County clerk and recorder, 7-2-2405, 15-10-306
County coroner, 7-4-2904
County officers or deputies, 7-2-2227, 7-4-101, 7-4-2506, 7-4-2512, 7-6-2213
County road improvement district committee of supervisors, 7-14-2707
County road superintendent, 7-14-2301
County sheriff
  criminal proceedings, jury's view of premises — communication with jurors, 46-16-502
  deputy's employment, statement of causes for discharge or termination, 7-32-2108
County superintendent of schools, 20-3-202

OATHS (Continued)

County tax appeal board, examination of applicant for reduction in valuation, 15-15-103
County treasurer
  statement of receipts and expenditures, 7-6-2115
  taxes
    delinquent list, credit for payments, 15-16-305
    inheritance tax, monthly report of payments received, 72-16-215
Courts
  bailiff, 46-16-502
  masters, authority, Title 25, chapter 20, M.R.Civ.P, Rule 53(c)
  referees, 25-7-701
  reporters, 3-5-601, 3-5-611, 3-5-612
    pro tempore, 3-5-611
Credit transactions, retail installment sales — sales finance company license applications, 31-1-221
Criminal Intelligence Information Advisory Council, members, 44-5-501
Criminal procedure, complaint — signing, 46-11-401
Dairies and dairy products
  milk producers, producer-distributors, distributors, and jobbers — licensees' reports, 81-23-402
  samples and analyses, identification and verification, 81-2-102
Debts, assignment for benefit of creditors — inventory, 31-2-214
Declaration in lieu of, 1-6-104
Defined, 1-1-201
Dentistry, statement of persons practicing or assisting in office of dentist, 37-4-326
Depositions, See **DEPOSITIONS**
Deputies for public officers, 2-16-302
Development corporations
  articles of incorporation, amendment, 32-4-205
  first meeting, temporary clerk, 32-4-207
Disaster and emergency services personnel, 10-3-112
Dissolution of marriage
  irretrievable breakdown, 40-4-107
  summary dissolution, joint petition — signing, 40-4-131
District court judges, 3-5-201
Dogs, field trials — application for permit to conduct, 87-4-915
Drainage districts
  commissioners, 85-8-308
    dissolution of district, report of debts and obligations, 85-8-201
  preliminary report on proposed works, remonstrances, 85-8-325
Elections
  absentee voting
    ballots destroyed or not received, 13-13-204
    counting boards, members and observers, 13-15-104, 13-15-105, 13-15-301
    election board members, 13-13-227, 13-15-301
  campaign finance reports, 13-37-231
  falsification, 13-35-207
  judges, 13-4-105, 13-4-202, 13-4-207, 13-13-101, 13-15-104, 13-15-301, 13-15-403
  mail ballot elections, replacement ballots, 13-19-305
  nomination of candidates
    petitions
      independent candidates, 13-10-501
      nonpartisan elections, 13-14-113
    withdrawal, 13-10-325
Electors
  challenges, 13-2-403, 13-13-304 — 13-13-307, 13-13-311

OATHS (Continued)
Electors (Continued)

- disabled electors, 13-13-118, 13-13-119
- falsification, 13-35-207
- precinct register, when name missing erroneously, 13-2-603
- registration
  - challenges, 13-2-403
  - united states service or employment, upon termination, 13-2-215

Emergency services personnel, 10-3-112
Employment agencies, license applications, 39-5-202
Engineers
- charges against, 37-67-331
- license applications, 37-67-303

Escrow business license applications, 32-7-109
Estates and probate
- closing of estate, 72-3-1005, 72-3-1104
- conservators, inventory of estate property, 72-5-424
- documents, oath or affirmation on, 72-1-206
- informal probate and appointment proceedings
  - application, verification, 72-3-212
  - execution of will, requirement, 72-3-213
- inheritance tax
  - county treasurer, monthly report of payments received, 72-16-215
  - determination, statement of property and heirs, 72-16-401, 72-16-802, 72-16-805
- personal representative
  - appointment, informal proceedings — verification of application, 72-3-222
  - bond amount, statement of estate's estimated value, 72-3-515
  - closing of estate, 72-3-1004, 72-3-1005, 72-3-1104
  - inheritance tax, determination — statement of property and heirs, 72-16-401, 72-16-802, 72-16-805
- public administrator, 72-15-103
  - annual accountings, 72-15-207
  - misappropriation of estate by third parties, complaint, 72-15-109
  - statement describing property, demand for, 72-15-107
- wills
  - execution, informal probate, 72-3-213
  - self-proved, 72-2-524

Execution
- imprisoned judgment debtor, 25-14-304 — 25-14-307, 25-14-309
- receivers, 25-14-203
- redemption period, verified statement of rents and profits during, 25-13-822

Executive officers, 2-16-211; Const., III, 3
Extradition to another state, arrest of accused — charge or complaint for, 46-30-227, 46-30-301
Facility siting requirements or rules, statement of public officer's or employee's failure to enforce, 75-20-404
False swearing, See **CRIMES**, **False swearing**
Ferries and wharves
- application to operate between counties, 7-14-2821
- ferrymen, reports, 7-14-2828

Financial institutions, public fund deposits — reports, 7-6-211
Fire companies, volunteer — pension benefits, certificate of eligibility, 19-17-402
Fire department secretaries, 7-33-2312
Fireworks wholesaler permits, applicants, 50-37-104
Fish and game wardens, 87-1-501
Fish, Wildlife, and Parks — Department of, director, 87-1-402
Flour and bread, statement regarding shortage of ingredients, 50-34-109

OATHS (Continued)

Form, 1-6-102, 2-16-211; Const., III, 3
  affirmation or declaration, 1-6-104; Const., III, 3; Title 25, chapter 20, M.R.Civ.P., Rule 43(d)
Fraternal benefit societies
  consolidation or merger, certificate of approval and financial statement, 33-7-215
  foreign or alien societies, statement of business, 33-7-531
  membership applicants, list and benefit amounts and premiums, 33-7-208
Gasoline and petroleum products, price discrimination — statement of information concerning, 82-15-205
Governor, information to, Const, VI, 15
Habeas corpus, writ of
  petition, verification, 46-22-201
  return, verification of, 46-22-301
Health maintenance organizations, annual report — verification, 33-31-211
Health service corporations
  annual report, 33-30-202
  examinations, 33-30-105
Highway patrol officers, charges against, 44-1-702
Homestead appraisers, 70-32-206
Housing authorities
  county, commissioners' application for incorporation, 7-15-2107
  municipal
    commissioners' application for incorporation, 7-15-4409
    examinations and investigations, 7-15-4458
Impeachment proceedings, 5-5-403, 5-5-416
Inquest jury, testimony before, 46-4-206
Insurance, commissioner of
  examinations, 33-1-408, 33-1-409
  rating or advisory organizations, examinations, 33-16-106
  surplus lines, advisory organizations — examinations, 33-2-321
Insurance premium finance company licensees, answers to interrogatories, 33-14-201
Insurers
  annual statements, 33-2-701
  certificate of authority applications, financial statements, 33-2-115
  farm mutual
    annual statements, 33-4-313
    committee of reference, members, 33-4-411
  holding company systems, statements concerning merger or acquisition of control, 33-2-1104
  rehabilitation, refusal of executives to be examined as grounds for, 33-2-1331
Interpreters, 1-5-304
  court proceedings, Title 26, chapter 10, M.R.Ev., Rule 604
  deaf persons in official proceedings, 49-4-508
Investments, Board of — hearings concerning municipal finance consolidation bonds and notes, 17-5-1611
Irrigation districts, board of commissioners — annual report, 85-7-1914
Itinerant vendors, license applications, 7-21-2305
Judgments
  confession of judgment, statement by defendant, 27-9-102
  summary judgment, affidavit contents, Title 25, chapter 20, M.R.Civ.P., Rule 56(e)
Judicial officers, 2-16-211, 3-5-113; Const., III, 3
Jurors, See **JURIES AND JURORS**
Justices' courts
  arrest, civil — prejudgment, answer, 27-16-1006
  district court, transfer of action to — when, 25-31-102

OATHS (Continued)
Justices' courts (Continued)

- justices of the peace, 3-10-202, 3-10-231, 7-6-2213
- postponement upon application of party, proof required, 25-31-705
- signatures, genuineness, 25-31-512

Labor and industry, commissioner of, 2-15-1701
Land surveyors

- charges against, 37-67-331
- license applications, 37-67-303

Law enforcement officers, 7-32-201, 7-32-234, 81-1-201
Legislative members, 2-16-211, 5-2-105, 5-2-212 — 5-2-214, 5-5-403, 5-5-416; Const., III, 3
Liens

- condominiums, lien for common expenses — verification of claim, 70-23-607
- loggers' liens, claim, 71-3-605
- salaries and wages, liens for
  - dispute of claim, verification statement, 71-3-305
  - notice of claim, 71-3-303

Limited partnerships, foreign — registration

- applications, 35-12-1302
  - correction, certificate of, 35-12-1305
- cancellation, certificate of, 35-12-1306

Livestock

- inspectors and detectives, 81-1-201
- roundup of abandoned horses
  - claim of ownership, verification, 81-4-508
  - foreman, report, 81-4-513
- slaughter of diseased animals, verification of claims for indemnity, 81-2-206
- swine assessment, purchaser's statement of swine purchased, 81-8-608
- tax assessment, statement for, 15-24-903

Local government, alteration of existing form — new governing body, 7-3-161
Marriage license applications, nonresidents, 40-1-201
Mausoleums and columbariums, endowment care fund — verification of annual report, 35-21-612
Mayors, 7-3-4217, 7-5-4102
Meat and meat products, samples and analyses — identification and verification, 81-2-102
Megalandfill siting requirements or rules, statement of public officer's or employee's failure to enforce, 75-10-940
Mental illness or incapacity, records — researchers' confidentiality, 53-21-166
Military affairs

- enlisted members, militia, 10-1-302
- officers, militia, 10-1-202

Mines and Geology, Bureau of — director and assistants, 20-25-213
Mines and mining

- claim
  - inspection, examination, or survey — petition for, 70-19-204
  - location, certificate of — verification, 82-2-102
  - working, verification of affidavit of performance, 82-2-103
- rights-of-way, commissioners of, 82-2-206
- strip and underground mines
  - operation requirements or rules, statement of public officer's or employee's failure to enforce, 82-4-252
  - siting requirements or rules, statement of public officer's or employee's failure to enforce, 82-4-142
- tax assessment statements of yield and value
  - metal mines license tax, 15-37-109
  - net proceeds tax, 15-23-502

Ministerial officers, 2-16-211; Const., III, 3

OATHS (Continued)

Minors, drivers' licenses and instruction permits — verification of applications, 61-5-108
Mint oil purchased by purchaser, mortgagor, or pledgee — sworn statement, 80-11-414
Mobile homes, imported — declaration of destination, 15-24-206
Motor carriers, annual reports, 69-12-407
Motor club service companies
  financial statements, 61-12-307
  license applications, 61-12-303
Motor vehicles
  certificate of ownership affidavits, 61-3-208
  drivers' licenses
    falsification, 61-5-303
    minors, applications for licenses and instruction permits — verification, 61-5-108
  driving under the influence of alcohol or drugs, statement by arresting officer, 61-8-402
  license plates, declaration of loss or destruction, 61-3-333
  registration applications, collector's item vehicles, 61-3-411
  used motor vehicle dealer and wholesaler license renewal applicants, certification of sales, 61-4-102
Museums, property on loan to — notice to preserve interest in, 22-3-506
Names
  assumed business name, execution of documents, 30-13-218
  change of
    counties, petitioners or remonstrants, 7-2-2506
    natural person, petitioners or remonstrants, 27-31-203
    nonprofit corporation, petitioners or remonstrants, 27-31-203
    watercourses — petitioners, remonstrants, or objectors, 85-2-133
Nonprofit corporations
  directors, advance for expenses — affirmation of standard of conduct, 35-2-449
  execution of documents, 35-2-119, 35-2-123
  name, change of — petitioners or remonstrants, 27-31-203
Notary public, 1-5-405
Nurses, license applicants — verification of qualifications, 37-8-405, 37-8-415
Officers who may administer, 1-6-101
"Official proceeding" defined, 45-2-101
Oil and gas
  interstate oil compact commission, representative on, 82-11-304
  tax assessment statements
    net proceeds tax, sales proceeds, 15-23-602
    privilege and license tax, production, 82-11-132
Outfitters and guides, license suspension or revocation — charge or recommendation, 37-47-342
Park Commissioners, Boards of
  county, 7-16-2307
    secretary, report of board receipts and disbursements, 7-16-2310
  municipal, 7-16-4207
    claims, verification, 7-16-4227
    clerk, report of board receipts and disbursements, 7-16-4209
Partition, liens and encumbrances — statement of, 70-29-107
Partnership documents, execution, 35-10-111
Paternity, claim of, 40-6-126
Peace officers, 7-32-303, 16-6-102, 44-4-903, 61-12-201
  volunteer, 7-32-234
Perjury, 45-7-201, 45-7-202, See also **CRIMES**
Physical therapists
  falsification, 37-11-302
  qualifications, verification, 37-11-304

OATHS (Continued)

Physicians and surgeons, license applications, 37-3-309
Pipeline carriers, monthly reports, 69-13-301
Postsecondary educational institutions
  agents for, permit applications, 20-30-302
  investigations, answers to questions or interrogatories, 20-30-201
Predators and predator control, bounties — falsification of certificates or affidavits, 81-7-121
Printing, state — bidders, statement concerning employees, 18-7-104
Private investigators and security patrol officers, license applications and verification of qualifications, 37-60-303, 37-60-304
Professional counselors, charge of violation of professional or ethical standards, 37-23-212
Psychologists, verification of qualifications, 37-17-302
Public contractors, license applications, 37-71-211
Public Education, Board of — members, 2-15-1508
Public officers, 2-16-211; Const., III, 3, See also **PUBLIC OFFICERS OR EMPLOYEES**
  deputies, 2-16-302
  signatures, certification, 2-16-114, 5-2-105
Public Safety, Department of — statement of causes for discharge or termination of employment, 7-32-108, 7-32-109
Public Service Commission
  commissioners and employees, expenditures, 69-1-111
  consumer counsel, examination of regulated companies before, 69-2-203
  utilities, examination by, 69-3-106
Public weighers, statement of property weighed, 7-21-3106
Radioactive substances, license applications and statements, 75-3-202
Railroads
  consolidation, verification of resolution for, 69-14-512
  directors, board of, 69-14-502
  grain elevators or warehouses, petition for easement, 69-14-904
  special peace officers, 44-4-903
  tax assessment, statement for, 15-23-201
Real estate brokers and salespersons, complaints against, 37-51-321, 37-51-322
Recall
  petitioners, 2-16-617
  petitions, persons circulating, 2-16-619
Receivers, 25-14-203, 27-20-301
Referees, 25-7-701
Regents of Higher Education, Board of — members, 2-15-1508
Respiratory care practitioners, affirmation of credentials, 37-28-202, 37-28-206
Revenue, Department of — department or agents, 15-10-305
Rural special improvement districts, incidental expenses — verification of demands, 7-12-2119
School district bonds, notice of sale, 20-9-430
School elections
  elector challenges, 20-20-303
  judges, 20-20-410
School officers, 20-1-202
School trustees, 20-3-307, 20-3-309
Search warrants, 16-6-102, 46-5-221, 46-5-222; Const., II, 11
Secretary of state, deputies, 2-15-402
Securities and securities regulation, investigations — personal statements, 30-10-304
Small claims court
  complaints, 25-35-601, 25-35-602
  counterclaim, 25-35-606
  interpleader affidavits, 25-34-106, 25-34-201, 25-35-508

OATHS (Continued)
Small claims court (Continued)

- judges, 3-12-201

Social workers, charge of violations, 37-22-312
Special improvement districts
- improvements done by owners of property, verification of property ownership, 7-12-4147
- incidental expenses, verification of demands, 7-12-4123

State auditor, deputy, 2-15-602
State debt collection service, persons presenting accounts for settlement, 17-4-102
State lands
- coal leases, monthly reports, 77-3-317
- complaint of violations, 77-1-114
- islands and abandoned riverbeds, surveyor's field notes and plat, 77-1-104

State property, persons in charge of, 2-17-202
Street grade changes, damages caused by — appraisers, 7-14-4203
Subdivisions
- realty regulation, board of — investigations, statements, 76-4-1206
- survey, record of oaths, 76-3-405

Subpoenas, issuance, See **SUBPOENAS**
Superintendent of public instruction, 20-3-102; Const., III, 3
- controversy appeal hearings, 20-3-107
- deputy, 20-3-103

Supreme court
- clerk of the supreme court, Title 25, chapter 21, M.R.App.P., Rule 19
  - account of fees, 3-2-405
  - deputy clerk, 3-2-406
- justices, Title 25, chapter 21, M.R.App.P., Rule 19
- marshal of the supreme court, accounts, 3-2-503

Swine assessment, purchaser's statement of swine purchased, 81-8-608
Sworn testimony, See generally **EVIDENCE; WITNESSES**
Taxation
- assessment book, affidavits of, 15-10-305, 15-10-306
- assessment, statements to department of revenue
  - air carriers, 15-23-402
  - building and loan associations, 15-24-801
  - livestock, 15-24-903
  - mines and mining, yield and value
    - metal mines license tax, 15-37-109
    - net proceeds tax, 15-23-502
  - oil and gas
    - net proceeds tax, sales proceeds, 15-23-602
    - privilege and license tax, production, 82-11-132
  - railroads, 15-23-201
  - taxpayers, 15-1-403, 15-8-301, 15-8-302
  - utilities, 15-23-301
- classification, special — class 4, 15-6-151
- inheritance tax, statements to department of revenue
  - county treasurer, monthly report of payments received, 72-16-215
  - determination of tax, property and heirs, 72-16-401, 72-16-802, 72-16-805
- lottery winnings, income tax withholding statement, 15-30-247
- mobile homes, imported — declaration of destination, 15-24-206

Teachers or specialists, 20-4-104, 20-4-201
Teachers' Retirement Board, members, 2-15-1010
Testimony, See generally **EVIDENCE; WITNESSES**
Theft, photographs of items allegedly taken or converted — written description, 26-1-608
Trademarks and service marks, execution of documents, 30-13-319
Transient retail merchants, license applications, 7-21-2406

OATHS (Continued)

Trial jury, See **JURIES AND JURORS**
Unemployment insurance
  unpaid taxes, correct report and statement, 39-51-1302
  work records, 39-51-603
Unfair trade practices, investigative demands, 30-14-113
University of Montana
  forest and conservation experiment station officers, employees, and assistants, 20-25-244
  forestry school dean, 20-25-244
University system, local executive board members, 20-25-303
Utilities
  annual reports, records, or statements, 69-3-205
  examinations, 69-2-203, 69-3-106
  tax assessment, statement for, 15-23-301
Variation, when, 1-6-103
Water
  commissioners, 85-5-103, 85-5-402
  names of watercourses, change — petitioners, remonstrants, or objectors, 85-2-133
  rights, adjudication — statement of claim, 85-2-224
Water Well Contractors, Board of — members, 2-15-3307
Weather modification authorities, county — person circulating petition for creation, 85-3-412
Wheat and barley assessment — statement of grain purchased by purchaser, mortgagee, or pledgee, 80-11-207
Witnesses, See **WITNESSES**
Workers' compensation — private corporation officers, notice of election to be not covered by provisions, 39-71-401
Writs
  mandamus, answer, 27-26-302
  quo warranto, usurpation of public office, 27-28-306
Zoning boards of adjustment, appeals from decisions by
  county, return of copies of papers acted upon, 76-2-227
  municipal, return of copies of papers acted upon, 76-2-327

OBLIGATIONS
  See **CONTRACTS**; specific subject areas
Accord and satisfaction, Title 28, chapter 1, part 14
Alternative, Title 28, chapter 1, part 5
Cities and towns, See **CITY FINANCE**
Conditional, Title 28, chapter 1, part 4
Counties, See **COUNTY FINANCE**
Funds transfers, See **FUNDS TRANSFERS**
General provisions, Title 28, chapter 1, part 1
Imposed by law, Title 28, chapter 1, part 2
Joint, Title 28, chapter 1, part 3
Novation, Title 28, chapter 1, part 15
Performance, extinction and prevention, Title 28, chapter 1, parts 11 — 13
Registration of public obligations, Title 17, chapter 5, part 11
Release of debtor by creditor, Title 28, chapter 1, part 16
Transfer of rights and duties, Title 28, chapter 1, part 10

OCCUPATIONAL DISEASE
  See also **LABOR AND EMPLOYMENT, Health safeguards; SILICOSIS**
Actions
  enforcement, 39-72-206
  fellow employee, against, 39-71-413, 39-72-402
  records, production, 39-71-304, 39-72-402

OCCUPATIONAL DISEASE (Continued)
Actions (Continued)

- third parties, against, 39-71-412, 39-72-402

Administration, 39-72-201, 39-72-202
Aggravation of disease, 39-72-706
Appeals, See **Benefits**, disputes
Applicability of laws

- benefits, 39-72-701, 39-72-709
- claims for benefits, 39-72-204
- construction of laws, 39-71-105
- coverage, 39-72-301, 39-72-310
- payment, 39-72-401, 39-72-701
- procedure, 39-72-402
- remedy exclusive, 39-72-305
- scope of laws, 39-72-301
- uninsured employers, 39-72-305
- workers' compensation law, See **Workers' compensation**

Asbestos regulation, See **ASBESTOS**
Attorney's fees, 39-71-612 — 39-71-614, 39-72-712
Autopsies, 39-72-606, 39-72-608
Benefits

- acceptance of liability, 39-72-602
- aggravation of disease, 39-72-706
- attorney's fees, 39-71-612 — 39-71-614, 39-72-712
- burial expenses, 39-72-705
- claim for
  - forms, 39-72-204
  - mental stress, noncompensability, 39-71-105
  - presentment, 39-72-403
  - termination of worker for filing, not allowed, 39-71-317
  - true claim, filing, 39-71-316
- compliance with other provisions prerequisite, 39-72-401
- compromise, 39-72-711
- costs, 39-72-613
- death, 39-72-701
  - autopsy, 39-72-606, 39-72-608
  - burial expenses, 39-72-705
  - claim, 39-72-403
  - medical report, 39-72-605
  - silicosis, resulting from, 39-72-707
  - statute of limitation, 39-72-403
- deception, obtaining through, 39-71-316, 45-6-301
- discharge of employee because of nondisabling occupational disease, 39-72-405
- dispute, 39-72-602
  - appeal to judge, 39-72-612
  - attorney's fees, 39-71-612 — 39-71-614, 39-72-712
  - compromise, 39-72-711
  - grounds to overturn decision, 39-72-612
  - hearings, 39-72-611 — 39-72-613, 39-72-712
  - mediation, See **WORKERS' COMPENSATION, Mediation of disputes**
  - medical reports, presumption of correctness, 39-72-610
  - physical examination of claimant, 39-72-602
- eligibility, 39-72-401
- exclusive remedy, 39-72-305
- exposure requirements, 39-72-405
- false representation, 39-72-404
- false statements, 45-6-301

OCCUPATIONAL DISEASE (Continued)
Benefits (Continued)

- federal programs, effect on benefits, 39-72-509, 39-72-701, 39-72-706
- fraud, obtaining by, 39-71-316, 39-71-2001, 45-6-301, 53-2-105, 53-2-211, 53-3-111
- guardian, payment to, 39-71-742, 39-72-402
- hearings, 39-72-611 — 39-72-613, 39-72-712
- hospital expenses, 39-72-704
- lump-sum payment, 39-72-711
- mediation of disputes, See **WORKERS' COMPENSATION**
- medical expenses, 39-72-704
- mentally incompetent persons, payment to, 39-71-742, 39-72-402
- minors, payment to, 39-71-742, 39-72-402
- misrepresentation, 39-72-404
- parent, payment to, 39-71-742, 39-72-402
- partial disability, 39-72-703
- permanent total disability, 39-72-701
- physical examination
  - disputed claims, 39-72-602, 39-72-608
  - periodic, 39-72-607
- pneumoconiosis, 39-72-509, 39-72-701
- preexisting conditions
  - exposure prior to certain dates, 39-71-405, 39-71-406
  - misrepresentation, 39-72-404
- proximate cause, 39-72-408
- reduction, 39-72-701, 39-72-706, 39-72-709, 39-72-714
- right to, 39-72-103, 39-72-305
- silicosis, 39-72-707, 39-72-708, 39-72-711
- social security benefits, effect, 39-72-701, 39-72-706
- statute of limitation, 39-72-403
- suspension of benefits, 39-72-607, 39-72-714
- temporary total disability, 39-72-701
- treatment, refusal, 39-72-714
- unsanitary practices of recipient, 39-72-714

Burial expenses, benefit, 39-72-705
Citation of Occupational Disease Act, 39-72-101
Claims for benefits, See **Benefits**
Compensation plans, 39-71-403, 39-71-406, 39-72-310, 39-72-402
Compromises
- benefits, award, 39-72-711
- department, authority, 39-72-206

Coverage under workers' compensation, 39-71-403, 39-72-310, 39-72-402, See also **Workers' compensation**
Damages, 39-71-412, 39-71-413, 39-72-402
Death benefits, See **Benefits**
Definitions, 39-72-102, 50-70-103
Disputes, See **Benefits**
Employees
- benefits, See **Benefits**
- fellow employee, liability, 27-1-703, 39-71-413, 39-72-402
- hazardous chemical information to, no effect on liability of employer, 50-78-401
- physical examination prior to employment, 39-72-404
- preference to injured worker when, 39-71-317
- premiums, deduction from wages prohibited, 39-71-406, 39-72-402
- termination for filing claim not allowed, 39-71-317
- treatment, refusal, 39-72-714
- unsanitary practices, 39-72-714
- waiver of rights invalid, 39-71-409, 39-72-402

OCCUPATIONAL DISEASE (Continued)

Employers, 39-72-102, See also **Insurers**
  hazardous chemical information to employees, no effect on liability, 50-78-401
  liability, 27-1-703, 39-71-411, 39-72-302, 39-72-303, 39-72-402, 50-78-401
  physical examination of prospective employee, 39-72-404
  preference to injured worker when, 39-71-317
  premiums, deduction from wages prohibited, 39-71-406, 39-72-402
  safety program requirement in policies, 33-15-318
Enforcement, 39-72-206
Exclusive remedy, 39-71-411, 39-72-305, 39-72-402
Extent of laws, 39-72-301, See also **Applicability of laws**
False representation, 39-72-404
Federal programs, effect, 39-72-509, 39-72-701, 39-72-706
Fellow employee, liability, 27-1-703, 39-71-413, 39-72-402
Forms, 39-72-203
Funding, 39-72-310
  administrative costs, 39-71-201
  occupational disease expendable trust fund, 39-71-1004
  plan no. 1 funding, 39-71-403, 39-72-402
Guardian, payment, 39-71-742, 39-72-402
Hazardous chemical information to employees, no effect on liability of employer, 50-78-401
Hearings, 39-72-610 — 39-72-613
Hospital expenses, benefit, 39-72-704, 71-3-1118
Inspection of records, 39-71-304, 39-72-402
Insurers, 39-72-102
  compromises, 39-72-711
  coverage, 39-72-310
  liability, acceptance, 39-72-602
  medical examinations, periodic — requests by, 39-72-607
Jurisdiction of
  labor and industry, department of, 39-71-317, 39-72-202
  workers' compensation judge, 39-71-317, 39-72-610, 39-72-612, 39-72-613
Laws applicable, See Applicability of laws
Liability
  employers, 27-1-703, 39-71-411, 39-72-302, 39-72-303, 39-72-402, 39-72-404, 50-78-401
  fellow employee, 27-1-703, 39-71-413, 39-72-402
  insurers, 39-72-602
  misrepresentation by employee, effect, 39-72-404
  reporting violations, no liability when, 39-71-106
  third parties, 39-71-412, 39-72-402
Liens, benefits exempt when, 71-3-1118
Lump-sum payment of benefits, 39-72-711
Managed care, Title 39, chapter 71, part 11, See **WORKERS' COMPENSATION**
Mediation of disputes, See **WORKERS' COMPENSATION**
Medical examinations
  death benefits, for, 39-72-605, 39-72-606, 39-72-608
  disputed benefits, 39-72-602, 39-72-608
  expenses, 39-72-608
  periodic examinations of benefits recipients, 39-72-607, 39-72-608
Medical expenses, benefit, 39-72-704
Medical panel
  benefits disputes, examination by, 39-72-602
  chairman, 39-72-601
  discontinuance of employment, determination, 39-72-405
  evidence, reports as, 39-72-609, 39-72-610

OCCUPATIONAL DISEASE (Continued)
Medical panel (Continued)

- list of physicians to serve on, 39-72-601
- periodic examinations by, 39-72-607
- selection, 39-72-601

Medical reports
- death benefits, for, 39-72-605, 39-72-606
- disclosure, 50-16-527
- discovery of disease, inadmissibility, 50-70-107
- disputed benefits, 39-72-602
- expenses, 39-72-608
- inadmissibility when, 50-70-107
- presumption of correctness, 39-72-610
- prima facie evidence, 39-72-605, 39-72-609

Mentally incompetent, payment of benefits, 39-71-742, 39-72-402
Minors, payment of benefits to, 39-71-742, 39-72-402
Misrepresentation by employee, 39-72-404
Notice, rulemaking authority, 39-72-203
Objectives of system, 39-71-105
Occupational Disease Act of Montana, Title 39, chapter 72
Panel, See **Medical panel**
Parents, payment of benefits to, 39-71-742, 39-72-402
Payments, See **Benefits**
Physical examinations, See **Medical examinations**
Physicians, See **Medical** entries
Pneumoconiosis, special provisions, 39-72-102, 39-72-303, 39-72-509, 39-72-701, See also this main category generally
Powers of department, 39-72-202
Preexisting conditions, See **Benefits**
Premiums, deduction from wages prohibited, 39-71-406, 39-72-402
Prevention, See **LABOR AND EMPLOYMENT**, **Health safeguards**
Procedure, applicability of laws, 39-72-402
Public agencies, coverage, 39-71-403, 39-72-402
Public policy, 39-71-105
Records, 39-71-304, 39-72-402
Remedy exclusive, 39-71-411, 39-72-305, 39-72-402
Right of compensation, 39-71-409, 39-72-103, 39-72-305, 39-72-402
Rulemaking authority, 39-72-203
- claim forms, 39-72-204
- compensation plans, 39-72-310

Safety Culture Act, Title 39, chapter 71, part 15, See **WORKERS' COMPENSATION**
Scope of laws, 39-72-301, See **Applicability of laws**
Settlements, See **Benefits**
Silicosis, See **SILICOSIS**
Social security benefits, effect, 39-72-701, 39-72-706
Third party liability, 39-71-412, 39-72-402
Unemployment compensation, occupational disease benefits disqualify for, 39-51-2306
Uninsured employers, 39-72-305
Violation
- fraud or deception, obtaining benefits by, 39-71-316, 39-71-2001, 45-6-301, 53-2-105, 53-2-211, 53-3-111
- prohibited actions and penalty, 39-71-315
- reporting, no liability for, 39-71-106

Waiver
- claim time requirements, 39-72-403
- rights, 39-71-409, 39-72-402

OCCUPATIONAL DISEASE (Continued)

Workers' compensation, applicability to occupational disease compensation
  benefits, 39-72-701, 39-72-709
  claim for benefits, 39-72-204
  compensation plans, 39-72-310
  coverage, 39-71-401, 39-71-2316, 39-72-301, 39-72-310
  mediation of disputes, See **WORKERS' COMPENSATION**
  procedure, 39-72-402
  remedy exclusive, 39-72-305
  scope of laws, 39-72-301
  subsequent injury when vocationally handicapped, Title 39, chapter 71, part 9, See **WORKERS' COMPENSATION**
  uninsured employers, 39-72-305

OCCUPATIONAL HEALTH ACT OF MONTANA, Title 50, chapter 70
  See **LABOR AND EMPLOYMENT, Health safeguards**

OCCUPATIONAL SAFETY
  See **LABOR AND EMPLOYMENT, Safety**

OCCUPATIONAL THERAPY AND OCCUPATIONAL THERAPISTS
  See also **HEALTH CARE FACILITIES; PUBLIC ASSISTANCE, Vocational rehabilitation; PUBLIC CONTRACTS, Sheltered workshops**
Administration of provisions, 37-24-201, 37-24-202
Aides, 37-24-103
  exemption from provisions, 37-24-104
  physical agent modalities, application by, 37-24-105
  supervision, 37-24-103
Aliens, 37-24-305
Assistants, 37-24-103
  aides, supervision, 37-24-103
  certified occupational therapy assistant (COTA), 37-24-104, 37-24-305
  license required, 37-24-301, 37-24-305, See **Licenses and licensing**
Board of Occupational Therapy Practice, Title 37, chapter 24, part 2
Certification as occupational therapist registered (OTR), 37-24-104, 37-24-305
Certification requirement for licensing, 37-24-303, 37-24-305
Certified occupational therapy assistant (COTA), 37-24-104, 37-24-305
Citation of Occupational Therapy Practice Act, 37-24-101
Crimes, conviction — effect, 37-24-309
Education requirements for licensing, 37-24-303, 37-24-305, 37-24-307
Enforcement of provisions, 37-24-202
Ethical standards, 37-24-202
Exemptions, 37-24-104
Federal occupational therapists, 37-24-104
Fieldwork experience
  exemption from provisions to persons fulfilling, 37-24-104
  licensing requirements, 37-24-303, 37-24-305
  limited permit, 37-24-307
Foreign-trained therapists, 37-24-305
Fraud, 37-1-131, 37-24-309, 39-71-316
Inactive status, 37-24-308
Institutional residents, ancillary charges — payment, 53-1-401, 53-1-501, 53-1-502
Investigations, 37-24-202
Licenses and licensing, Title 37, chapter 24, part 3
  applications, 37-24-302, 37-24-310
  denial, 37-24-309
  examinations, 37-24-303, 37-24-304, 37-24-310

OCCUPATIONAL THERAPY AND OCCUPATIONAL THERAPISTS (Continued)
Licenses and licensing (Continued)
  examinations (Continued)
    approval and supervision, 37-24-202
    notice of, 37-24-304
    reexaminations, 37-24-304
    scores and review, 37-24-304, 37-24-307
    waiver, 37-24-305
  expiration, 37-24-308
  fees, 37-24-304, 37-24-306, 37-24-308, 37-24-310
  foreign-trained applicants, 37-24-305
  fraud in obtaining, 37-24-309
  inactive status, 37-24-308
  issuance, 37-24-306, 37-24-307, 37-24-310
    refusal, 37-24-309
  limited permit, 37-24-307, 37-24-310
  nonresidents, 37-24-305
  qualifications of applicants, evaluation, 37-24-202
  reciprocity, 37-24-305
  renewal, 37-24-308, 37-24-310
    limited permits, 37-24-307
    refusal, 37-24-309
  required, 37-24-301
  requirements, 37-24-303
    waiver, 37-24-305
  revocation, 37-24-309
  rules, 37-24-202, 37-24-304, 37-24-308
  suspension, 37-1-131, 37-24-309, 39-71-316
  waiver of requirements, 37-24-305
Lien for services, Title 71, chapter 3, part 11
Limited permit, 37-24-307, 37-24-310
Misrepresentation, 37-24-309
Nonresidents, 37-24-104, 37-24-305
Occupational Therapy Practice Act, Title 37, chapter 24
Payment for services
  institutional residents, ancillary charges — payment, 53-1-401, 53-1-501, 53-1-502
  liens for, Title 71, chapter 3, part 11
Penalty for violations, 37-24-311
Physical agent modalities, 37-24-103
  sound and electrical agents, use, 37-24-106
  superficial, use, 37-24-105
Purpose of provisions, 37-24-102
Records, 37-24-202
  violation, 37-24-309
Schools, special education — allowable costs, 20-7-431
Services, 37-24-103, 37-24-301, See also **Licenses and licensing**
Students or trainees, 37-24-104
Unprofessional conduct, 37-24-309
Violations, 37-24-311
  investigation, 37-24-202
  licenses — denial, suspension, or revocation for, 37-24-309
  workers' compensation claims, fraud or deception concerning — suspension of license, 37-1-131, 39-71-316

OCCUPATIONS AND PROFESSIONS
  See **PROFESSIONS AND OCCUPATIONS**; See also **LABOR AND EMPLOYMENT**; specific occupation or profession

OFFENDERS, FORMER
Banks and trust companies
  director, as — prohibited, 32-1-322
  employment in, 32-1-462
Building and loan association agent, ground for revocation of license, 32-2-409
Candidacy for office, Const., IV, 4
Concealed weapon, permit to carry — ineligibility when, 45-8-321
Consumer report, inclusion of information in, 31-3-112, 31-3-126
Conviction
  drug paraphernalia violations, 45-10-102
  effect generally, 46-18-801; Const., II, 30
    probation and parole officer to inform, 46-23-1021
  testimony respecting, Title 26, chapter 10, M.R.Ev., Rules 609, 803
County sheriff's deputies, employment prohibited, 7-32-2104
Credit report, inclusion of information in, 31-3-112, 31-3-126
Disaster and emergency services personnel — employment as, prohibited, 10-3-112
Drug
  paraphernalia violations, as evidence, 45-10-102
  registration requirements for manufacturers, distributors, or dispensers — effect, 50-32-306
  wholesale drug distribution, license qualifications, 37-7-607
Emergency services personnel — employment as, prohibited, 10-3-112
Employment agencies, licensing restrictions, 39-5-203
Employment restrictions
  banks and trust companies, in, 32-1-462
  building and loan association agent, 32-2-409
  consumer report to employer, inclusion of information in, 31-3-112, 31-3-126
  disaster and emergency services personnel, 10-3-112
  drug manufacturer, distributor, or dispenser registration requirements, 50-32-306
  emergency services personnel, 10-3-112
  highway patrol officers, 44-1-612
  lottery, state, 23-7-110, 23-7-306
  peace officers, 7-32-303
  securities brokers, dealers, salespersons, or investment advisers, 30-10-201
Gambling
  licenses, issuance restrictions, 23-5-176
  lottery, state
    appointees or licensees, 23-7-110, 23-7-306
    gaming suppliers, disclosure, 23-7-310
Guides, professional
  qualifications, 37-47-303
  revocation or suspension of license when, 37-47-341
Health care facility, licensing prohibited, 50-5-207
Highway patrol officers, cause for disciplinary action, 44-1-612
Hospital, licensing prohibited, 50-5-207
Insurers, mergers or acquisition of control — statement regarding, 33-2-1104
Law enforcement reserve officers, appointment as — prohibited, 7-32-213
Licensing restrictions
  alcoholic beverage licenses, 16-4-401
  building and loan association agent, 32-2-409
  contract security companies, 37-60-303
  denial of license
    conviction not sole basis, 37-1-203
    written statement of reasons, 37-1-204

OFFENDERS, FORMER (Continued)
Licensing restrictions (Continued)

- employment agencies, 39-5-203
- fireworks, wholesaler permits, 50-37-104
- gambling, restrictions, 23-5-176,
- guides, professional, 37-47-303, 37-47-341
- health care facilities, 50-5-207
- hospitals, 50-5-207
- legislative intent, 37-1-202
- lottery, state, 23-7-110, 23-7-306
- outfitters, 37-47-302, 37-47-341
- policy of state, 37-1-202
- proprietary security organizations, 37-60-303
- purpose of provisions, 37-1-201
- savings and loan association agent, 32-2-409
- supervision, licensure on completion, 37-1-205
- timeshare brokers or salespersons, 37-53-302

Lottery, state
- appointees or licensees, prohibited, 23-7-110, 23-7-306
- gaming suppliers, disclosure, 23-7-310

Minors, conviction in youth court, 41-5-106
Occupational therapists, effect on licensing, 37-24-309
Outfitters' licenses
- qualifications, 37-47-302
- revocation or suspension when, 37-47-341

Persistent felony offenders, See **SENTENCING**
Petroleum storage tank releases, ineligibility for reimbursement for expenses caused by, 75-11-308
Public office, candidacy, Const., IV, 4
Restoration of rights, 46-18-801, 46-23-1021; Const., II, 28; VI, 12; XII, 3
Rights, restoration, 46-18-801, 46-23-1021; Const., II, 28; VI, 12; XII, 3
Savings and loan association agent, ground for revocation of license, 32-2-409
Securities brokers, dealers, salespersons, or investment advisers — effect on registration, 30-10-201
Subdividers' registration of land
- application, effect, 76-4-1236
- revocation, 76-4-1243

Timeshares
- brokers or salespersons, effect on licensing, 37-53-302
- developers, background information, 37-53-202

Voting right, effect, 13-1-111, 13-2-402; Const., IV, 2, See also **PRISONS AND PRISONERS, Elections**
Witnesses, testimony respecting conviction, Title 26, chapter 10, M.R.Ev., Rules 609, 803

OFFICIAL REPORTS AS EVIDENCE ACT, UNIFORM, Title 26, chapter 10, M.R.Ev., Rule 803
See also **EVIDENCE, Official acts and writings**

OIL AND GAS
See also **CITIES AND TOWNS, Utilities; COUNTIES, Utilities; UTILITIES**, generally
Abandoned wells
- cores, chips, cuttings, and bottom-hole temperatures — availability upon, 82-11-125
- inventory, 82-10-402
- notice before abandonment and for burial depth of pipe, 82-10-401
- plugging requirements, 82-11-111, 82-11-123 — 82-11-125, 82-11-136, 82-11-161, 82-11-163
- reclamation, 82-10-402
- responsible persons, 82-11-101, 82-11-111, 82-11-161, 82-11-164

OIL AND GAS (Continued)
Abandoned wells (Continued)

- water wells, conversion to, 85-2-303

Actions
- civil actions, 27-2-303, 82-11-142, 82-11-144
- emergency orders, review, 82-11-151
- enforcement proceedings, 82-11-147, 82-11-149
- injunction, for, 82-11-144
- injury, person claiming, 82-11-145
- lease, release, 82-1-202
- royalties, accounting, 82-10-101
- statute of limitation, 27-2-303, 82-11-145
- surface owner, damage and disruption compensation, 82-10-508
- trade secrets, establishment of existence, 82-11-117

Board, See **Oil and Gas Conservation, Board of**
Buyer in the ordinary course of business, 30-1-201
Capital companies, development through, 90-8-104
Carriers, pipeline, Title 69, chapter 13
Centennial acre
- donations of land, title to rights, 2-89-205
- royalty interests, disposition of proceeds, 2-89-206

Commencement of operation, notice to county clerk and recorder and commissioner of labor and industry, 39-3-502
Conservation
- administrative procedure, 82-11-141, 82-11-142
  - class II injection well operating fee amount, establishment, 82-11-137
  - determinations, procedure to make, 82-11-115
- appeals, 82-11-146, 82-11-151
- bonds
  - cancellation, 82-11-162, 82-11-163
  - injunction, surety for, 82-11-145
  - noncommercial well, 82-11-123, 82-11-163
  - plugging of wells, 82-11-123, 82-11-125, 82-11-136, 82-11-161, 82-11-163
- bureau of mines and geology, facilities available to, 82-11-126
- confidentiality of records when, 82-11-117
- construction of provisions and conflict of authority, 82-11-104
- cooperation among agencies, 82-11-112
- cores, chips, cuttings, and bottom-hole temperatures, 82-11-125, 82-11-126
- court review, 82-11-144
- definitions, 82-11-101
- emergencies, 82-11-141, 82-11-151
- enforcement, 82-11-111, 82-11-131, 82-11-142, 82-11-145, 82-11-147, 82-11-149, 82-11-150
- environmental review, 75-1-201
- funding, 82-11-131 — 82-11-137
- hearings, 82-11-124, 82-11-141 — 82-11-143, 82-11-151
- injunction, 82-11-142, 82-11-144, 82-11-145, 82-11-147, 82-11-149
- interstate compact for, 82-11-301 — 82-11-306
- investigations, 82-11-111, 82-11-142
- lands subject to provisions, 82-11-103
- legal assistance, 82-11-150
- notice requirements, 82-11-141
- oil and gas operations, requirements, 82-11-123
- oil and gas production damage mitigation account, 5-11-210, 15-38-202, 82-10-402, 82-11-111, 82-11-161, 82-11-164
- pollution of state waters, 82-11-101, 82-11-117, 82-11-127, 82-11-151
- pooling, See **Unit operations**
- prohibited activities, 82-11-127

OIL AND GAS (Continued)
Conservation (Continued)

- records, 82-11-111, 82-11-117, 82-11-123, 82-11-148
- reports, 82-11-103, 82-11-123, 82-11-148
- rulemaking authority, 82-11-111, 82-11-125, 82-11-137, 82-11-142
- subpoenas, 82-11-142
- underground gas storage reservoirs, priority when eminent domain petitioned, 82-10-303
- unit operations, See **Unit operations**
- violations, 82-11-122, 82-11-127, 82-11-142, 82-11-147 — 82-11-149, 82-11-151
- waste, 82-11-101, 82-11-111, 82-11-121, 82-11-124
- wells, See **Wells**

Definitions, 1-4-110, 82-1-111, 82-10-110, 82-10-301, 82-10-402, 82-10-501, 82-11-101
Drilling, 82-11-123, 82-11-124
- cores, chips, cuttings, bottom-hole temperatures, 82-11-125
- environmental review, 75-1-201
- notice of intention required, 82-10-503, 82-11-122
- parties to actions, 82-11-144
- permit required, 82-11-122, 82-11-127, 82-11-134
  - fee, 82-11-134, 82-11-135
  - reclamation plan, 82-10-402
- pooling, See **Unit operations**
- surface owner damage and disruption compensation, Title 82, chapter 10, part 5

Employees
- liens for labor, Title 71, chapter 3, part 10
- severance tax, labor to pay not required, 15-36-101
- wage protection, 39-3-407; Title 39, chapter 3, part 5

Energy emergencies, Title 90, chapter 4, part 3
Exploration
- capital companies, development through, 90-8-104
- county-owned land, 7-8-2507, 7-8-2510, 7-8-2514
- geophysical, Title 82, chapter 1, part 1
- personal representative's authority, 72-3-613
- principal and income determinations, 72-5-427, 72-34-404, 72-34-410
- reservation of mineral rights or rights of entry
  - state lands, 77-2-304
  - tax exemption, 15-6-201
- surface owner damage and disruption compensation, Title 82, chapter 10, part 5
- trust leases, power of trustee, 72-34-322

Financing of operations, fraud, 30-14-701 — 30-14-703
Fire prevention and safety rules, 50-3-103
Gas companies, See **UTILITIES**, generally
Gasoline, See **GASOLINE AND PETROLEUM PRODUCTS**
Geophysical exploration, Title 82, chapter 1, part 1
Interstate Compact to Conserve Oil and Gas
- authorization to join, 82-11-301
- commission representative, 82-11-304 — 82-11-306
- expiration date, extension, 82-11-303
- text, 82-11-302

Land Commissioners, Board of — conflict of authority, 82-11-104
Landowner, See **Surface owner**
Leases
- conservator's power, 72-5-427
- county-owned land, 7-8-2507, 7-8-2510, 7-8-2514
- division order, 82-10-110
- local government land, 82-10-201
  - acquired interests, 82-10-204
  - acreage pooling, 82-10-202

OIL AND GAS (Continued)
Leases (Continued)
  local government land (Continued)
    county road fund, allocation, 7-14-2505
    protection of property for specific purposes, 82-10-203
  principal and income determinations, 72-5-427, 72-34-404, 72-34-410, 72-34-412
  release, 82-1-201 — 82-1-204
  royalties, See **Royalty interests**
  state lands, See **STATE LANDS, Natural gas, leases for underground storage; Oil and gas leases**
  transactions, goods — nonapplicability, 30-2A-103
  trustee, authority, 72-34-322
  trusts for unlocatable owners, Title 82, chapter 1, part 3
  unit operations, 82-11-204, 82-11-211
License tax, 82-11-131 — 82-11-133, 82-11-135
  surtax, 82-11-171
Liens
  labor and materials, for, Title 71, chapter 3, part 10
  net proceeds tax, 15-23-608
  oil and gas production damage mitigation account, for expenditures, 82-11-164
  severance taxes, 15-36-108
National gas policy, implementation and determinations, 82-11-101, 82-11-113 — 82-11-116
Natural gas
  facility siting, Title 75, chapter 20
  underground gas storage reservoirs, 82-10-301 — 82-10-305
    lease, See **STATE LANDS, Natural gas, leases for underground storage**
Net proceeds tax, Title 15, chapter 23, part 6
Oil and Gas Conservation, Board of, 2-15-3303
  abandoned wells, duties, 82-10-401, 82-10-402, 82-11-101, 82-11-111, 82-11-123, 82-11-161, 82-11-162
  conservation and regulation, Title 82, chapter 11, part 1
  drilling, duties, 82-10-402, 82-11-122, 82-11-134
  emergency orders, 82-11-141, 82-11-151
  eminent domain, advice as to compensation, 70-30-206
  funding, 82-11-131, 82-11-135 — 82-11-137, 82-11-161, 82-11-306
  ground water assessment steering committee, representation on, 2-15-1523
  national gas policy, implementation and determinations, 82-11-101, 82-11-113 — 82-11-116
  oil and gas production damage mitigation account, 15-38-202, 82-10-402, 82-11-111, 82-11-161, 82-11-164
  privilege and license tax, 82-11-131, 82-11-133, 82-11-135
  programmatic environmental statements, adoption and written reports, 75-1-201
  reclamation and development grant requests, priority, 90-2-1113
  seismic operations, duties, 82-1-101, 82-1-104, 82-1-106, 82-10-402, 82-11-122, 82-11-123
  staff positions, professional, 2-15-3303, 2-18-103
  tertiary recovery projects, 15-36-101
  underground gas storage reservoirs, duties, 82-10-302 — 82-10-305
  unit operations, duties, Title 82, chapter 11, part 2
  water
    information resource, 85-2-512
    production by wells, jurisdiction, 85-2-510
Petroleum products, See **GASOLINE AND PETROLEUM PRODUCTS**
Pipelines, PIPELINES
Pooling, See **Unit operations**
Principal and income determinations, 72-5-427, 72-34-404, 72-34-410, 72-34-412
Privilege and license tax, 82-11-131 — 82-11-133, 82-11-135
  surtax, 82-11-171
Production regulation, 82-11-111, 82-11-305, See also **Conservation**
Products, See **GASOLINE AND PETROLEUM PRODUCTS**

OIL AND GAS (Continued)

Public lands, operations on
    applicability of laws, 82-11-103
    state lands specifically, See **STATE LANDS, Natural gas, leases for underground storage; Oil and gas leases**
    unit operations on, 82-11-103
Reclamation, 82-10-402, 82-11-123, 82-11-161; Title 90, chapter 2, part 11; Const., IX, 2
Regulation, 82-11-111, 82-11-305, See also **Conservation**
Research, 82-11-126
Reservation of mineral rights
    state lands, 77-2-304
    tax exemption, 15-6-201
Resource indemnity trust and ground water assessment tax, Title 15, chapter 38
Rights of entry to explore
    state lands, 77-2-304
    tax exemption, 15-6-201
Royalty interests
    accounting, actions for, 82-10-101
        remedy not exclusive, 82-10-102
    centennial acre, disposition of proceeds, 2-89-206
    counties, tax-deed lands, 7-8-2305, 7-8-2306, 15-17-326, 27-2-210, 70-19-421, 82-10-204
    county-owned land, 7-8-2510, 7-8-2514
    county road fund, allocation, 7-14-2505
    federal, distribution, 20-9-343
    liens for labor and materials not extended to, 71-3-1002
    local government land, on lease, 82-10-201, 82-10-202
    payment of royalty, 45-2-311, 82-10-103, 82-10-104
    pooling, royalty excluded when calculating costs, 82-11-202
    principal and income determinations, 72-5-427, 72-34-404, 72-34-410, 72-34-412
    subdivision of land creating, 76-4-1222
    taxation, 15-23-106, 15-23-602, 15-23-603, 15-23-605, 15-23-607, 15-23-631, 15-36-101
    trusts for unlocatable owners, Title 82, chapter 1, part 3
    unit operations, 82-10-202, 82-11-205, 82-11-207, 82-11-208
Sales transactions, 30-1-201, 30-2-107
School state equalization aid, federal royalties — distribution, 20-9-343
Secured transactions, 30-9-103, 30-9-105, 30-9-401 — 30-9-403, 30-9-405, 30-9-409, 30-9-410
Securities
    registration, exclusion by notification, 30-10-203
    transactions, exemption, 30-10-103, 30-10-105
Seismic operations, Title 82, chapter 1, part 1
Severance tax, Title 15, chapter 36, part 1
Solid waste disposal exclusions, nonapplicability, 75-10-214
Spacing units, 82-11-141, 82-11-201, 82-11-202
State lands, See **STATE LANDS, Natural gas, leases for underground storage; Oil and gas leases**
Storage tank releases, cleanup, Title 75, chapter 11, part 3
Surface owner
    abandonment of well, notice, 82-10-401
    damage and disruption compensation
        definitions, 82-10-502
        liability for damage to property, 82-10-505
        notice of drilling operations, 82-10-503, 82-11-122
        notice of injury, 82-10-506, 82-10-507
        offer of settlement, 82-10-507, 82-10-508
        payments, 82-10-504

OIL AND GAS (Continued)
Surface owner (Continued)
  damage and disruption compensation (Continued)
    purpose of provisions, 82-10-501
    rejection, 82-10-508
    remedies cumulative, 82-10-511
  drilling, notice to owner or purchaser under contract for deed, 82-10-503, 82-11-122
  noncommercial well, bond requirement, 82-11-123, 82-11-163
  oil and gas conservation, board of — representation, 2-15-3303
  principal and income determinations, 72-5-427, 72-34-404, 72-34-410
Taxation, 82-11-131 — 82-11-133, 82-11-135; Title 15, chapter 23, part 6; Title 15, chapter 36, part 1
Underground facilities, excavations near, Title 69, chapter 4, part 5
Underground gas storage reservoirs, 82-10-301 — 82-10-305
Underground storage tanks, Title 75, chapter 11
Uniform Commercial Code, applicability, 30-1-201, 30-2A-103
Unit operations
  action considered as action by all owners, 82-11-211
  antitrust laws, applicability, 82-11-203, 82-11-215
  contract not terminated by order, 82-11-213
  counties, 7-8-2510
  hearings, 82-11-141, 82-11-201, 82-11-202, 82-11-204
  land commissioners, board of — agreements, 77-3-430, 82-11-104
  less than whole of pool, 82-11-210
  lien of operator, 82-11-212
  local government land, on, 82-10-202
  notice requirements, 82-11-141, 82-11-201, 82-11-204, 82-11-208
  order for pooling, 82-11-144, 82-11-201, 82-11-202, 82-11-206
  order for unit operation, 82-11-205, 82-11-207 — 82-11-209, 82-11-213, 82-11-214
  plan, 82-11-204, 82-11-206, 82-11-207
  pooling agreements, 7-8-2510, 77-3-421, 77-3-430, 82-11-104, 82-11-203
  preexisting units, 82-11-209
  property rights, 82-11-212, 82-11-214
  public land, on, 82-11-103
  relationship between parties not created, 82-11-216
  restraint of trade, applicability of laws, 82-11-203, 82-11-215
  spacing units, establishment and pooling within, 82-11-141, 82-11-201, 82-11-202
  state lands, inclusion — effect, 77-3-421
  title, effect, 82-11-214
Unlocatable owners, mineral trusts for, Title 82, chapter 1, part 3
Violations
  civil remedies, 82-11-142
  commencement of operations, failure to file statement, 39-3-502
  conservation violations, 82-11-122, 82-11-127, 82-11-142, 82-11-147 — 82-11-149, 82-11-151
  lease, failure to release from record, 82-1-201
  penalties, 82-11-147 — 82-11-149
  permits, operations without, 82-11-122, 82-11-127
  pollution of state waters, 82-11-127, 82-11-151
  royalty payment violations, 45-2-311, 82-10-104
Waste, 82-11-101, 82-11-111, 82-11-121, 82-11-124, See also **Unit operations**
Water
  abandoned wells, conversion to water wells, 85-2-303
  ground water, See **WATER, Ground water**
  information resources, 85-2-512
  injection or disposal, 82-11-111, 82-11-123
  pollution of state waters, 82-11-101, 82-11-117, 82-11-127, 82-11-151
  production by oil or gas well, 85-2-510

OIL AND GAS (Continued)

Wells
- abandoned, See **Abandoned wells**
- classification, 82-11-111
- class II injection, 82-11-101, 82-11-111, 82-11-123, 82-11-127, 82-11-137
- closure or shutdown, emergency order for, 82-11-151
- cores, chips, cuttings, and bottom-hole temperatures — availability, 82-11-125
- drilling, See **Drilling**
- explosives, use — exemption and rule compliance under construction blasting provisions, 37-72-101
- lien for labor and materials, Title 71, chapter 3, part 10
- logs, 82-11-123, 82-11-125
- mining reclamation maps, indication on, 82-4-222
- noncommercial, bond requirements, 82-11-123, 82-11-163
- ownership, identification, 82-11-123
- plugging requirements, 82-11-123 — 82-11-125, 82-11-136, 82-11-161
- producing, release from bond requirements, 82-11-162
- stratigraphic test wells, 82-11-125
- stripper, 82-11-111
- utilities, not considered as, 82-11-102
- water
  - conversion to water wells, 85-2-303
  - production by, 85-2-510
- wildcat, 82-11-111, 82-11-123

OLDER AMERICANS ACT, Title 52, chapter 3, part 5
- See **AGING AND AGED PERSONS, Older Montanans**

OPENCUT MINING ACT, Title 82, chapter 4, part 4
- See **MINES AND MINING, Opencut mining**

OPEN MEETINGS, Const., II, 9
- See also **PUBLIC PARTICIPATION IN GOVERNMENT**

Administrative Code Committee, 2-4-405
Administrative rules, negotiated rulemaking committee, 2-5-108
Assembly, freedom of, Const., II, 6
Burial Preservation Board, closure of meetings when, 22-3-802, 22-3-810
Cigarette wholesalers, subjobbers, retailers, or vendors — hearings on license revocation or suspension, 16-11-144
Cities and towns, 7-1-4141, 7-1-4143
City commission, 7-3-4323
City council, 7-3-4220
City-county consolidated governments, 7-3-1218, 7-3-1241, 7-3-1251
Committees or subcommittees, requirements, 2-3-203
Conservation district board of adjustment meetings, 76-15-722
Constitutional provision, enforcement — costs to plaintiff, 2-3-221
Construction of provisions, 2-3-201
County board of adjustment meetings, 76-2-225
County Commissioners, Board of, 7-5-2125
- meeting not public when, 7-21-3213

County water and/or sewer districts, 7-13-2274
Disturbing or disrupting, 20-1-206, 45-8-101
Exceptions, 2-3-203
Health Facility Authority meetings, 90-7-201
Housing, Board of — meetings, 90-6-105
Insurance, Commissioner of — hearings, 33-1-704
Insurers supervision hearings, when, 33-2-1321

OPEN MEETINGS (Continued)

Interlocal cooperation commission, 7-11-213
Irrigation districts, meetings of board of commissioners, 85-7-1503
Judicial Nomination Commission, 3-1-1007
Legislative intent, 2-3-201
Legislature, Const., V, 10
Local government study commissions, 7-3-182
"Meeting" defined, 2-3-202
Minutes, public availability, 2-3-212
Municipal board of adjustment meetings, 76-2-325
Municipal commission government council meetings, 7-3-4220
Press representatives, 2-3-211
Public agencies and associations of agencies, requirements, 2-3-203
Recording, 2-3-211
Right to know, Const., II, 9
School district architectural services, proposals — tentative and final, 20-6-634
School trustees, 20-3-322, 20-9-165, 20-10-125
Securities regulation, administrative hearings — when, 30-10-107
Speech-Language Pathologists and Audiologists, Board of — meetings, 37-15-201
Tax equalization hearings, 15-9-101
Television district trustee meetings, 7-13-2526
Utilities, hearings, 69-3-104
Violation of, 45-7-401
  disturbing or disrupting, 20-1-206, 45-8-101
  voidability of decisions made in, 2-3-213
Youth Placement Committee meetings, nonapplicability, 41-5-529
Workers' compensation classification and rating committee, 33-16-1012
Workers' compensation state fund, applicability, 39-71-2314

OPEN RANGE, 60-7-102, 81-4-203, 81-4-501
Abandoned horses on, Title 81, chapter 4, part 5, See **LIVESTOCK, Roundup of abandoned horses**
dogs, injuring or destroying livestock upon, 81-7-403
Fencing on highway right-of-way, 60-2-208, 60-7-101 — 60-7-103
Grazing adjacent to, 60-7-202
Marks and brands, recording or rerecording required, 81-3-102
Predator control funds, 81-7-104, See also **PREDATORS AND PREDATOR CONTROL**
Running at large upon, Title 81, chapter 4, part 2, See **LIVESTOCK, Running at large**

OPEN-SPACE LANDS, Title 76, chapter 6
  See **LAND USE PLANNING**

OPTOMETRY AND OPTOMETRISTS
Advertising, 37-10-301, 37-10-311
Affidavits, 37-10-201, 37-10-302
Board of Optometry, 2-15-1846; Title 37, chapter 10, part 2
Certificates of registration, Title 37, chapter 10, part 3
  applicants, qualifications, 37-10-302
  continuing education requirements, 37-10-308
  discrimination in issuance prohibited, 49-3-204
  display, 37-10-306
  examinations, 37-10-302
  expiration date, 37-1-101, 37-10-307
  false statements, 37-10-301
  fees, 37-10-302, 37-10-307
  issuance, 37-10-304
  nonresidents, 37-10-302, 37-10-303

OPTOMETRY AND OPTOMETRISTS (Continued)
Certificates of registration(Continued)

- practice without, unlawful, 37-10-301
- reciprocity, 37-10-303
- register, 37-10-302
- renewal, 37-10-307, 37-10-308
- revocation or suspension, 37-1-131, 37-10-307, 37-10-311, 39-71-316
- rules for, 37-10-202, 37-10-302
- unlawful practices concerning, 37-10-301

Child abuse and neglect, reporting of, 41-3-201, 41-3-203 — 41-3-207
Choice of practitioner, 33-22-111
Complaints, 37-2-105, 37-10-204
Continuing education, 37-10-308
Developmentally disabled persons — report of abuse, neglect, or exploitation required, 52-3-811, See **DEVELOPMENTALLY DISABLED PERSONS, Abuse, neglect, or exploitation**
Disability insurance, insured's selection of practitioner, 33-22-111
Disciplinary proceedings, 37-10-204
Discrimination by public agencies prohibited, 37-10-104
Drug companies and practitioners, unlawful practices between, 37-2-102
Drugs
- administration, 37-10-101, 37-10-204
- diagnostic, course and examination, 37-10-304
- dispensation, Title 37, chapter 2, part 1, See also **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Dispensation**
  - definitions, 37-2-101
  - exceptions to unlawful dispensation, 37-2-104
  - practices declared unlawful when, 37-2-102, 37-2-103
  - violations, actions concerning, 37-2-105
- pharmacy law, use not prohibited by, 37-10-103
- prescriptions, 37-10-101, 37-10-204
- therapeutic
  - complaints and records concerning, 37-10-204
  - course, examination and certification, 37-10-304

Elderly persons — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Emergencies, drug dispensation, 37-2-104
Exemptions from provisions, 37-10-102
Fines and disposition, 37-10-313
Fraud, 37-1-131, 37-10-301, 37-10-311, 39-71-316
Glaucoma, treatment prohibited, 37-10-101
Hazardous chemical provisions, nonapplicability, 50-78-103
Health care information, See **HEALTH CARE INFORMATION; INSURANCE, Information and privacy protection**
Health maintenance organization providers, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
Health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
Incorporation, Title 35, chapter 4, See **CORPORATIONS, Professional corporations**
Injunctions when, 37-2-105, 37-10-301
Insurance
- disability
  - insured's selection of practitioner, 33-22-111
  - payment for services, Title 33, chapter 22, See **INSURANCE, DISABILITY, Payments**
- health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**

OPTOMETRY AND OPTOMETRISTS (Continued)
Insurance (Continued)

  information and privacy protection act, Title 33, chapter 19, See **INSURANCE, Information and privacy protection**
  professional liability, See **INSURANCE, CASUALTY, Professional liability**
Investigations, 37-10-204
Licensing, See **Certificates of registration**
Malpractice, 37-10-311, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, MEDICAL**
Medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Medical records information, See **HEALTH CARE INFORMATION; INSURANCE, Information and privacy protection**
Medicine, practice of — applicability of licensing provisions, 37-3-103
Mental incompetence, 37-10-311
Neglect by, 37-10-307
Nonresidents, 37-10-302, 37-10-303
Ocular diseases — diagnosis, treatment, and management
  complaints concerning, 37-10-204
  course in and examination, 37-10-304
Ophthalmic lenses, unlawful practices concerning, 37-10-301
Opticians, exemptions from provisions, 37-10-102
Optometric Oversight Committee, composition and duties, 37-10-204
Payment for services
  fraud or misrepresentation, obtaining by, 37-10-311
  insurance, Title 33, chapter 22, See **INSURANCE, DISABILITY, Payments**
  medicaid, See Title 53, chapter 6, part 1, **PUBLIC ASSISTANCE**
Peer review, See also **HEALTH CARE INFORMATION, Hospital medical staff committees; Peer review**
  nonliability, 37-2-201
  reporting of incompetence or unprofessional conduct, 37-3-401 — 37-3-405
Pharmacies and practitioners, unlawful practices between, 37-2-103
Pharmacy, community — ownership prohibited, 37-2-103, 37-2-106
Physical incompetence, 37-10-311
Physician assistants-certified
  exception to authority, 37-20-103
  utilization plans, applicability, 37-20-303
Practice of, 37-10-101
  drugs, courses and examinations in use of, 37-10-304
  exemptions, 37-10-102
  not allowed in state, when, 37-10-311
  ocular diseases — diagnosis, treatment, and management — requirements, 37-10-204, 37-10-304
  purpose of provisions, 37-10-105
  unlawful when, 37-10-301
Professional corporations, Title 35, chapter 4, See **CORPORATIONS**
Professional liability, See **INSURANCE, CASUALTY; MALPRACTICE, MEDICAL**
Public agencies, discrimination by — prohibited, 37-10-104
Purpose of provisions, 37-10-105
Records, 37-10-204
Schools of optometry, certificate of graduation from — required, 37-10-302
Senior citizens — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Unlawful practices, See **Violations**
Unprofessional conduct, 37-10-311
Utilization reviews, Title 33, chapter 32, See **INSURANCE, DISABILITY**
Violations, 37-10-301
  child abuse and neglect, failure to report, 41-3-207

OPTOMETRY AND OPTOMETRISTS (Continued)
Violations (Continued)

drug companies and practitioners, unlawful practices between, 37-2-102
drug dispensation when, 37-2-104
fraud, misrepresentation, or deception, 37-1-131, 37-10-311, 39-71-316
injunction to restrain, 37-10-301
penalty, 37-10-313
pharmacies and practitioners, unlawful practices between, 37-2-103
prosecution, 37-10-312
Workers' compensation claims — fraud, misrepresentation, or deception prohibited, 37-1-131, 37-10-311, 39-71-316

ORDINANCE NOS. I AND II
Refer to Annotations to Montana Code Annotated, Vol. I, Federal materials

ORGANIC ACT OF THE TERRITORY OF MONTANA
Refer to Annotations to Montana Code Annotated, Vol. I, Federal materials
Publication with Montana Code Annotated, 1-11-204

ORGANIC FOODS, MONTANA TRUTH IN LABELING ACT FOR, 50-31-221 — 50-31-223, 50-31-231
See **FOOD AND FOOD PRODUCTS, Organic foods, labeling**

ORGANS OR ORGAN DONORS
See **BLOOD, TISSUE, ORGANS, AND BONES; ANATOMICAL GIFTS**

OSTEOPATHY AND OSTEOPATHS
See also **MEDICINE AND MEDICAL CARE**
Acupuncture, practice of — requirements, 37-13-104
Anatomical gift provisions, 72-17-102
Board of Medical Examiners, 2-15-1841, 37-5-101
Child abuse and neglect, reporting of, 41-3-201, 41-3-203 — 41-3-207
Chiropractors, limitations on practice, 37-12-102, 37-12-104
Choice of practitioner, 33-22-111
Developmentally disabled persons
abuse, neglect, or exploitation — report required, 52-3-811, See **DEVELOPMENTALLY DISABLED PERSONS, Abuse, neglect, or exploitation**
qualified mental retardation professional, 53-20-102, See **DEVELOPMENTALLY DISABLED PERSONS, Professionals, qualified mental retardation**
Disability insurance, insured's selection of practitioner, 33-22-111
Drug companies and practitioners, unlawful practices between, 37-2-102
Drugs, 37-2-101
dispensation, Title 37, chapter 2, part 1, See also **DRUGS AND CONTROLLED SUBSTANCES AND DEVICES, Dispensation**
exceptions to unlawful dispensation, 37-2-104
practices declared unlawful when, 37-2-102, 37-2-103
violations, actions concerning, 37-2-105
prescribing or use in practice unlawful, 37-5-305
Elderly persons — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Emergencies, drug dispensation, 37-2-104
Fraud, 37-5-311
Hazardous chemical provisions, nonapplicability, 50-78-103
Health maintenance organization providers, Title 33, chapter 31, See **HEALTH MAINTENANCE ORGANIZATIONS, Providers**
Health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**

OSTEOPATHY AND OSTEOPATHS (Continued)

Hospitals, staff membership or privileges, 50-5-105
Incorporation, Title 35, chapter 4, See **CORPORATIONS, Professional corporations**
Injunction when, 37-2-105
Insurance
  disability
    insured's selection of practitioner, 33-22-111
    payment for services, Title 33, chapter 22, See **INSURANCE, DISABILITY, Payments**
  health service corporations, Title 33, chapter 30, See **HEALTH SERVICE CORPORATIONS**
  professional liability, Title 33, chapter 23, part 3, See **INSURANCE, CASUALTY, Professional liability**
Licenses and licensing, Title 37, chapter 5, part 3
  applicants, qualifications, 37-5-301
  applications, 37-5-301
  certificates
    fraud or misrepresentation, 37-5-311
    limitations, 37-5-305
    renewal, 37-5-307
    temporary, 37-5-304
    void when, 37-5-307
  discrimination in issuance prohibited, 49-3-204
  examinations, 37-5-301 — 37-5-303
  fees, 37-5-302, 37-5-303, 37-5-307
  issuance, 37-5-302
  nonresidents, 37-5-303
  physicians, as, 37-3-103, 37-3-306, See also **PHYSICIANS AND SURGEONS**
  practicing without, unlawful, 37-5-301
  reciprocity, 37-5-303
  reinstatement, 37-5-307
  revocation, 37-5-311
  temporary certificates, 37-5-304
Malpractice, See **INSURANCE, CASUALTY, Professional liability; MALPRACTICE, MEDICAL**
Managed care, Title 39, chapter 71, part 11, See **WORKERS' COMPENSATION**
Medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Medicine
  licensing provisions, applicability, 37-3-103, 37-3-306
  osteopathy not practice of, 37-5-102
Naturopathic physicians, childbirth attendance — supervision, 37-26-304
Nonresidents, 37-5-303
Organ donation provisions, 72-17-102
Payment for services
  insurance, Title 33, chapter 22, See **INSURANCE, DISABILITY, Payments**
  medicaid, Title 53, chapter 6, part 1, See **PUBLIC ASSISTANCE**
Peer review, See also **HEALTH CARE INFORMATION, Hospital medical staff committee; Peer review**
  nonliability, 37-2-201
  reporting of incompetence or unprofessional conduct, 37-3-401 — 37-3-405
Pharmacies and practitioners, unlawful practices between, 37-2-103
Pharmacy, community — ownership prohibited, 37-2-103, 37-2-106
Physical therapists
  exemptions from provisions, 37-11-102
  restrictions on practice, 37-11-103
Physician assistants-certified utilization plans, applicability, 37-20-303

OSTEOPATHY AND OSTEOPATHS (Continued)

Physicians, licensed as, 37-3-103, 37-3-306, See also **PHYSICIANS AND SURGEONS**
Practicing osteopathy, 37-5-101
  chiropractic not, 37-12-102, 37-12-104
  physical therapy, exemptions and restrictions, 37-11-102, 37-11-103
Preferred providers, Title 39, chapter 71, part 11, See **WORKERS' COMPENSATION**
Prescribing drugs unlawful, 37-5-305
Professional corporations, Title 35, chapter 4, See **CORPORATIONS**
Professional liability, See **INSURANCE, CASUALTY; MALPRACTICE, MEDICAL**
Renewal fee, 37-5-307
Rural physician incentive program, 20-26-1501 — 20-26-1503
Schools of osteopathy, approval, 37-5-301, 37-5-302
Senior citizens — report of abuse, neglect, or exploitation required, 52-3-811, See **AGING AND AGED PERSONS, Abuse, neglect, or exploitation**
Surgery by, limitations, 37-5-305
Utilization reviews, Title 33, chapter 32, See **INSURANCE, DISABILITY**
Violations
  certificate, revocation for, 37-5-311
  child abuse and neglect, failure to report, 41-3-207
  diploma, holder of — false representation, 37-5-312
  drug companies and practitioners, unlawful practices between, 37-2-102
  drugs
    dispensation when, 37-2-104
    prescribing or use in practice, 37-5-305
  fines, 37-5-312
  pharmacies and practitioners, unlawful practices between, 37-2-104
  practicing without license, 37-5-301, 37-5-312
  prosecution, 37-5-312
  surgery, performing — when, 37-5-305
X-ray radiation, application, Title 37, chapter 14

OUTDOOR ADVERTISING
Actions, remedial, 75-15-131, 75-15-132
Appeals, 75-15-131
Citation of Outdoor Advertising Act, 75-15-101
Commercial or industrial areas, signs within, 75-15-111, 75-15-124
Condemnation, relocation assistance displays, 70-31-102
Conservation easements, prohibitions or limitations, 76-6-203
Criteria, 75-15-111, 75-15-113
Cultural exhibits, 75-15-111
Definitions, 75-15-103
Directional signs, 75-15-111
Election materials, 13-35-225
Eminent domain, relocation assistance displays, 70-31-102
Entry for inspection, 75-15-131
Erection, rules for, 75-15-121
Federal
  funds for removal, 75-15-123
  laws, amendment or change — effect, 75-15-105
Highways
  location of signs, 75-15-113
  proximity of signs, 75-15-111
Historical attractions, signs for, 75-15-111
Illumination, 75-15-113, 75-15-124
Industrial or commercial areas, signs within, 75-15-111, 75-15-124
Inspection, 75-15-131

OUTDOOR ADVERTISING (Continued)

Lighting, 75-15-113, 75-15-124
Location, 75-15-113
Maintenance, rules for, 75-15-121
Motorist information signs, 75-15-111
  eligibility of businesses, 60-5-514, 60-5-522
  fees, 60-5-510
  restrictions, 60-5-521
Nonconforming
  acquisition and compensation, 75-15-123
  nuisance, as, 75-15-133
  permits and identification tags, 75-15-122
Open-space lands, conservation easements — prohibitions or limitations, 76-6-203
Outdoor Advertising Act, citation, 75-15-101
Permits
  failure to have, 75-15-112
  false applications, 75-15-132
  general provisions, 75-15-122
  identification tags, issuance with, 75-15-122
  permittee, noncompliance with notice of violation, 75-15-112
  revocation, 75-15-132
  rules for, 75-15-111
Policy of state, 75-15-102
Prohibited when, 75-15-111
Property
  rights, acquisition and compensation, 75-15-123
  signs regarding activities upon, 75-15-111
Public grounds, regulation upon, 7-14-4102
Regulations
  amended or changed, when, 75-15-105
  more restrictive, preservation, 75-15-104
Removal, 60-5-514, 60-5-522, 75-15-123, 75-15-131, 75-15-132
Rights, acquisition and compensation, 75-15-123
Scenic attractions, signs for, 75-15-111
Secretary
  defined, 75-15-103
  size, lighting, and spacing — agreements for, 75-15-124
  unzoned commercial or industrial areas, agreements for determination, 75-15-111
Short title, 75-15-101
Sidewalks, regulation upon, 7-14-4102
Size, 75-15-113, 75-15-124
Spacing, 75-15-113, 75-15-124
Standards, 75-15-113
  rules for, 75-15-111
Streets, regulation upon, 7-14-4102
Structures
  disrepair, 75-15-132
  location, spacing criteria, 75-15-113
  nonconforming, See **Nonconforming**
  permit requirements, See **Permits**
  preexisting, 75-15-122
  removal, 60-5-514, 60-5-522, 75-15-123, 75-15-131, 75-15-132
Timeshare offerings, advertisements, 37-53-214
Unlawful advertising, 75-15-112, 75-15-134
  misdemeanor, as, 75-15-134

OUTDOOR ADVERTISING (Continued)
Unlawful advertising (Continued)

- notice of, 75-15-131
    - noncompliance, 75-15-112
- removal for, 60-5-514, 60-5-522, 75-15-123, 75-15-131

OUTFITTERS AND GUIDES
Accidents, effect on licensing, 37-47-303, 37-47-341
Administration of provisions, 37-47-201, 37-47-306
Administrative costs and penalty, 37-47-306, 37-47-346
Advertising, 37-47-102, 37-47-301, 37-47-302, 37-47-304, 37-47-341
Affidavit requirement, 37-47-304
Appeals, 37-47-343
Arrests for violations, 37-47-345
Big Hole River, moratorium, 37-47-201
Board of Outfitters, 2-15-1883, 37-47-201, 37-47-202
Boats and boat safety, 37-47-101, 37-47-305
Breach of contract, 37-47-302, 37-47-341
Clothing, color requirements, 87-1-102, 87-3-302
Competition prohibited, 37-47-301
Complaints against, 37-47-202, 37-47-342
Consideration, determination of what constitutes, 37-47-101, 37-47-102
Council, 2-15-1883, 37-47-101, 37-47-201, 37-47-342
Duties, 37-47-402
Employment prohibited when, 37-47-341, 37-47-404
Enforcement of provisions, 37-47-201, 37-47-306, 37-47-344 — 37-47-346
Environmental protection standards, compliance, 37-47-301
Equipment, 37-47-101, 37-47-201, 37-47-301, 37-47-302, 37-47-304, 37-47-403
False advertising, 37-47-301, 37-47-302, 37-47-341
Federal cooperation, 37-47-201
Federal lands, permit requirements, 37-47-301
Fines or penalties, 37-47-344, 37-47-346
Fish and game wardens
- administration of provisions, 37-47-201
- violations, investigations and arrests, 37-47-345, 87-1-506

Fishing regulations, See **FISH AND WILDLIFE**
Float fishing, 37-47-101, 37-47-201
Fraudulent practices, 37-47-302, 37-47-341
Guides, 37-47-101
- independent contractors, 37-47-101, 37-47-304, 37-47-341
- licensing, See **Licensing and licenses**
- qualifications, 37-47-303
- violations committed by, liability, 37-47-404

Hunting regulations, See **FISH AND WILDLIFE**
Inspections, 37-47-202, 37-47-302
Investigations, 37-47-202, 37-47-306, 37-47-307, 37-47-342, 37-47-344, 37-47-345, 87-1-506
Landowners
- hunting camps, approval, 37-47-304
- protection, 37-47-201

Liability, 37-47-401, 37-47-404
Licensing and licenses, Title 37, chapter 47, part 3
- amendment, 37-47-310
- applications, 37-47-304, 37-47-306 — 37-47-309
- denial when, 37-47-307 — 37-47-309
    - appeals, 37-47-343
- discrimination in issuance prohibited, 49-3-204
- estate, as part of, 37-47-310

STATE LAW LIBRARY OF MONTANA

DO NOT CIRCULATE

OUTFITTERS AND GUIDES (Continued)

Licensing and licenses (Continued)

- examination requirements, 37-47-305, 37-47-307
- expiration, 37-47-312
- fees and disposition, 37-47-306, 37-47-307, 37-47-309
- investigation of applicant, 37-47-306, 37-47-307
- issuance, 37-47-307 — 37-47-309
- kinds, 37-47-308
- "license year" defined, 37-47-101
- moratorium, 37-47-201
- nonresidents, 37-47-306
- number held, limitation, 37-47-311
- professional guide's license, 37-47-309
- qualifications, 37-47-302, 37-47-303
- reissuance or reinstatement, 37-47-342
- renewals, 37-47-201, 37-47-302, 37-47-307
- required when, 37-47-301, 37-47-404
- rules, 37-47-201
- suspension or revocation
  - effect, 37-47-304
  - grounds for, 37-47-341
  - hearings, 37-47-201, 37-47-342
  - procedures for, 37-47-342
- transfer, 37-47-310
- unlicensed outfitters or guides, employment or contract with prohibited, 37-47-341, 37-47-404
- validity, 37-47-308, 37-47-309

Livestock, care of, 37-47-305

Madison River, moratorium, 37-47-201

Misrepresentation, 37-47-301, 37-47-344

Negligence, 37-47-302, 37-47-303, 37-47-341, 37-47-403

Nonresident applicants for reserved licenses, responsibilities, 87-2-505, 87-2-510, 87-2-511

Outfitters, 37-47-101
- examination requirements, 37-47-305
- liability, 37-47-404
- licensing, See **Licensing and licenses**
- pamphlet of licensees, publication and distribution, 37-47-201
- qualifications, 37-47-302

Participants, 37-47-101
- competition prohibited, 37-47-301
- duties, 37-47-403
- liability, 37-47-401

Penalties, 37-47-307, 37-47-344, 37-47-346, 37-47-404

Records required, 37-47-301

Rivers and streams, recreational use — "class I waters" defined, 23-2-301

Safety, 37-47-201, 37-47-305, 37-47-401

Smith River recreational use permits, allocation, 23-2-408

Standards, 37-47-201, 37-47-402

State lands, recreational use, 77-1-101, See **STATE LANDS, Recreational use**

Unemployment insurance coverage, 39-51-203, See also **UNEMPLOYMENT INSURANCE**

Unlicensed, employment or contract with prohibited, 37-47-341, 37-47-404

Violations
- arrests, 37-47-345, 87-1-506
- liability, 37-47-404
- license suspension or revocation for, 37-47-341

OUTFITTERS AND GUIDES (Continued)
Violations (Continued)

- penalties, 37-47-344
- reporting, 37-47-404
- statute of limitation on prosecution, 45-1-205

OUT-OF-STATE PAROLEE SUPERVISION, UNIFORM ACT FOR, Title 46, chapter 23, part 11
See **PROBATION, PAROLE, AND CLEMENCY, Interstate supervision of probationers and parolees**

STATE LAW LIBRARY OF MONTANA
3 0000 00096 0165

DOES NOT CIRCULATE